

Amrita Bazar Patrika

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VOL XXXVI

CALCUTTA SUNDAY JULY 30 1905

NO 59

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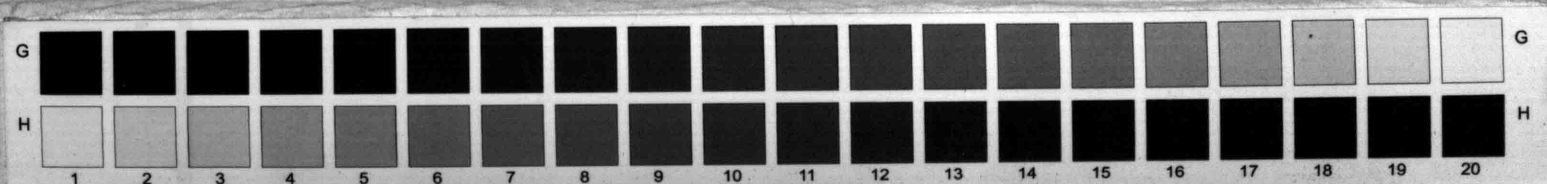
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KESHANJAN
For The Hair



SIDE.

Mr. Justice Stephen.)

FOR SLANDER.

MARY MELL VS. WILLIAM HERBERT LEE.

Mr. Garth and Mr. Zorab instructed by Messrs. Sanderson and Co. appeared for the plaintiff.

Mr. Hill and Mr. Gregory instructed by Messrs. Sanderson and Co. appeared for the defendant.

Mr. Hill:—We have received a telegram from Mr. Lee. He will arrive in Calcutta to-night. I can not take the responsibility of compromising the case in his absence.

Stephen J.:—Do you make any application in the matter regarding the adjournment of the case? The case was fixed on Monday last.

Mr. Hill:—If your Lordship allow it to stand over till Mr. Lee's arrival, I am entirely in your Lordship's hands.

Stephen J.:—What do you say Mr. Garth? Mr. Garth:—I can not grant the adjournment. I can not understand why Mr. Lee is not here.

Mr. Hill:—Your Lordship will remember that though the case was fixed on Monday it was merely for the purpose of an application with regard to commission.

Mr. Garth:—No, No. The case was fixed on Monday.

Stephen J.:—Mr. Lee's presence is extremely desirable.

Mr. Hill:—We telegraphed to him; and on Wednesday Mr. Lee

came to know this. That was the first time I knew of it.

Q.—Are you sure you are correct as to the place you said you assaulted Mr. Lee?

A.—Yes.

Q.—Was it not in your own compound?

A.—No, it was in his own verandah.

I know the actions of the committee of the club. I saw all those letters the Secretary wrote. I did not go to see any person. Several people came over. I did not see any members of the club. From what I understood there were only two members.

Mr. Palit was an ex-officio member.

Q.—Do you know Mr. Shore's writing?

Can you recognise and say whose handwriting it is?

A.—I dare say it is his.

Q.—Do you think it is his writing?

A.—Yes.

(Mr. Hill tendered the letter but it was not made an exhibit.)

Mr. Hill:—I will ask your Lordship to mark it for identification.

Rose Mary Mell.

In her examination-in-chief she said:—

I am the niece of the last witness. I live with my mother at Mymensingh.

Q.—What is her means?

(Mr. Hill objected to the question. The question was allowed.)

She depends upon the proceeds of my brother. She had no means of her own. My mother is bed-ridden since eleven years.

Since March 1900 I have been a member of the club. Mr. Roe, the Magistrate, proposed my name and Mr. Pitter seconded.

I know Miss Sinner; she had been in the habit of visiting my mother. About the month of March I and my mother went to her place. She hinted it there that there were rumours against us. I concluded it must be about me because my mother was not there.

Q.—Did I suppose Mr. Mabel disseminated the rumours. Mr. Mabel was a missionary. Mrs. Sinner said "not Mabel." I left my mother there.

Q.—In 1903 I found Mr. Mabel along my mother's bedside one morning. He had stated that he had stated

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Mr. Lee

Q.—So far as you know did your mother ask Miss Sinner about any particulars?

A.—Yes, but she could get no particular at all.

That was the last interview I had with Miss Sinner. I did not see Mrs. Mabel.

Q.—Did you or your mother take any step to ask Mr. Mabel about any particulars?

A.—No.

During X'mas 1903 Mr. Mabel went to my mother's bedside. He was scandalising certain ladies and my name was coupled among them. My mother did challenge the statements. I was not present at that time.

Q.—Did not believe a word Mr. Mabel said.

Mabel is not a member of the club.

I passed Mr. Lee the gentleman with

was driving was a gentleman from

ing engineer Mr. Falkner. Mrs.

particular)

Lee." It was acting on the rumour which was floating for years. He said I had not taken any steps in vindicating my character. I said that if the rumour was for years how was it that I heard nothing until Mr. Lee came. I said that if I could not find out the nature of the rumour what action could I take. Mr. Thompson asked me "who had told you." I said Mrs. Delvinge had told me. She was told by her husband who did not care to repeat it to her. I added that I went to Mr. Lee and asked for an explanation. He refused to give any. Mr. Lee said that he did not say "stand by." I said "you can not deny it." Mr. Lee did not do anything. Mr. Thompson then offered the meeting to be adjourned if I undertook to take any step in the civil court. I said how could I deny them when I did not know what they were. I went to Mr. Shore and he refused to give any explanation. I went to Mr. Lee and he refused. At the meeting neither Mr. Thompson nor anybody told me anything about the rumour. The Maharaja suggested that the matter should be put to the vote. Mr. Thompson agreed.

(Witness here showed the order as to how the members sat at that meeting). My vote was not taken. Mr. Thompson said Miss Mell had no vote. Mr. Thompson said "pass Miss Mell over and go on the next member." All except Mr. Wadling voted against me. None of them did ask me what the rumour was against me. I do not know whether they were told about it or not. None of them suggested that I should be given an opportunity of knowing the rumour. Mr. Palit recorded his own vote. There were no other members of the station who did not attend. Before the Maharaja recorded his vote he was not told, so far as I know that his name was associated with the slander. It was at any rate not told at the meeting. Since then I have been expelled from the club. I have borrowed money for the purposes of this suit from friends in order to pay costs. I have no means. I am still expelled from the club. The people at the station did not call at our house since then. I have not seen or spoken to Mr. Shaw since then.

Cross-examination.

By Mr. Gregory the witness said:—

Mr. Lee came to Mymensingh in October or November 1903 and remained there continuously up to the days of these proceedings. Mr. Delvinge came to Mymensingh, I think in December 1903. Miss Sinner spoke to mother that there was a rumour about us. I asked her which it was. Mr. Mabel was on friendly terms with Miss Sinner. He had known us longer than Mr. Lee.

Q.—So far as you know did your mother ask Miss Sinner about any particulars?

A.—Yes, but she could get no particular at all.

That was the last interview I had with Miss Sinner. I did not see Mrs. Mabel.

Q.—Did you or your mother take any step to ask Mr. Mabel about any particulars?

A.—No.

During X'mas 1903 Mr. Mabel went to my mother's bedside. He was scandalising certain ladies and my name was coupled among them. My mother did challenge the statements. I was not present at that time.

Q.—Did not believe a word Mr. Mabel said.

Mabel is not a member of the club.

I passed Mr. Lee the gentleman with

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ing engineer Mr. Falkner. Mrs.

particular)

letter received from Mr. Lee influenced us to arrive at the conclusion. There was discussion as far as I remember. I remember the second meeting which was held on the following month. I cannot remember the details of the meeting.

Q.—What was the reason of the proposal that if Miss Mell give an undertaking to put a stop to the rumours by taking legal steps the meeting should not proceed against her any further?

(Mr. Garth objected the question which was disallowed by Court.)

So far as I remember there was a discussion if she took any legal steps they would not proceed any further against her. Mr. Thompson proposed and I seconded that the decision of the committee should be confirmed.

Q.—For what reasons do you say Miss Mell was expelled from the club?

(Mr. Garth objected.)

A.—Because of the letter received from Mr. Lee and the circumstances.

Q.—What circumstances do you refer to?

A.—What happened at Mr. Lee's house. There were rumours against Miss Mell. I heard the rumours from the date of my appointment or shortly after that.

Q.—Miss Mell has told us in her evidence that Mr. Thompson had stated at the meeting that these rumours had been prevalent for years. Do you remember that?

A.—I cannot exactly say.

Cross-examination.

Cross-examined the witness said:—I can not undertake to say when I first heard of the rumours against Miss Mell. I heard before the meeting. I cannot possibly give any date. I heard from various people. Mr. Lee was not the first man who told me. I am not sure who told me first. I heard from Mr. Delvinge and Mr. Palit. Mr. Palit might have invented it. I think I first heard this from Mr. Mable. I was doubtful about the rumour. I do not remember whether three days before the meeting I accepted Mrs. Colonious' hospitality. I can not remember the breakfast at all that day. I never heard her mother's name mentioned in connection with the rumour.

At the committee meeting Mr. Palit did mention something. He said they were true. Between the time of assault and the committee meeting, I can not remember, whether Mr. Lee told me that the rumours were true. Mr. Thompson mentioned that to me. I can not undertake to say that Mr. Thompson said that the rumours were true. I believed that the rumours were true. Miss Mell wanted to know what the rumours were. I can not say why. She was not told. I can not suggest any reason why Mr. Lee did not tell her.

Q.—You know what the rumours were?

A.—Yes.

The Maharaja was present at that meeting.

Q.—Can you suggest any reason why this lady should not have been told?

A.—No. I suggest no reason.

The committee had no evidence against Miss Mell except what was said by Messrs. Lee, Palit and Mable.

Q.—(Mr. Hill): Were you actuated in any way by reason of the Maharaja's presence?

A.—Not the least.

The Count then rose for the day.

July 27.

Mr. Garth and Mr. Zorab instructed by Messrs. Orr Dignam and Co., appeared for the plaintiff.

Mr. Hill and Mr. Walter Gregory instructed by Messrs. Sanderson and Co. appeared for the defendant.

Witness examined to-day was.

W. B. THOMPSON.

Examination-in-chief the witness said:—

I am the District Magistrate of Mymensingh. I have been there since 1903.

Q.—I am the plaintiff. I know the facts of the case.

Before

No one made any reply to her questions.

Q.—Why did you not make any reply?

A.—I disbelieved her.

After this discussion Miss Mell said that she was unaware of the stories. I thought of giving her an opportunity of ascertaining the stories and taking proper action. I therefore proposed that if Miss Mell would undertake to take suitable action to stop the rumours within three months the resolution of the committee expelling her should be postponed again. It was not seconded. That was not the custom. Miss Mell said she was unable to take such action. Then the Maharaja made a proposal. I made the proposal and it was put to the vote and carried two voting for Miss Mell. Mr. Lee was present at that meeting. He did not give any vote. Miss Mell never asked me privately as to the nature of the rumour. Mr. Dumbel is the uncle of Miss Mell. No one on Miss Mell's behalf did apply to me to ascertain the truth. I heard from Mr. Delvinge himself that Mr. Lee had made certain communication to him. I am not senior in service to Mr. Delvinge. Before the assault I had conversation with Mr. Lee with reference to Miss Mell. It was while I was travelling from Dacca to Mymensingh, in the train. Mr. Lee, I think, broached the subject. I remember the purport. I was not in any way actuated at the meeting on account of the presence of the Maharaja.

CROSS-EXAMINATION.

Cross-examined by Mr. Garth witness said:—Mr. Savage, the Commissioner told me that when I would arrive at Mymensingh I would find there a lady, Miss Mell, about whom there were certain stories.

Q.—In the statement that he made was there any imputation against Miss Mell?

A.—No. He said that he disbelieved that.

Q.—Did Mr. Savage tell you from whom he heard the story?

A.—No.

Q.—Will you kindly tell me how many different stories regarding Miss Mell you heard?

A.—I heard the rumour in connection with the name of several gentlemen. Most of them were to the effect that she had placed herself in very compromising circumstances.

Q.—From whom you first heard?

A.—From Mr. Lee's predecessor, Mr. Tunon.

Q.—Do you swear that Mr. Tunon told you that Miss Mell had lost her virtue?

A.—Personally he did not.

Q.—Who was the next?

A.—May be Mr. Maple or Mr. Palit.

Q.—Are they on friendly terms with Miss Mell?

A.—They are not on friendly terms with Miss Mell. Mr. Palit is hostile.

Q.—Who was the next?

A.—A Mr. Riso.

Q.—He suggested against her virtue?

A.—Yes, he did.

Q.—When did he tell you?

A.—About 1903.

Q.—What is he?

A.—He is a jute merchant.

Something he said concerning himself. He said that he had in his personal experience some intimacy with Miss Mell. He was an acquaintance of Mr. Palit. I did not remark anything.

Q.—What was his object in doing so?

To enhance his own reputation, I believe.

A.—Yes.

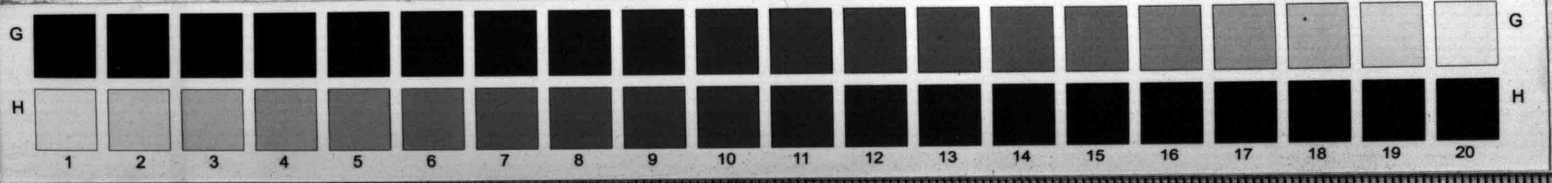
I am not in a position to say from whom, other than those I mentioned, I heard before. I believed Riso was lying, but I believed the other two persons. I have taken Mr. Maple to task for spreading stories. I have heard that Mr. Maple slandered a number of other ladies.

Q.—From whom you first heard of set out in this plaint?

A.—I believe Mr. Tunon.

Q.—Is it true that Mr. Tunon suggested anything

he heard



Shankar Ramprasad was charged, before Mr. Kinnaird, Sessions Judge, Bombay, on the 20th instant for throwing a boy into the well. The facts of the case are that Vithal Nathuram, a boy of about twelve years was taken by the accused to the temple of the goddess Kadkai near Guttaiki on the evening of 29th May last, and there administered some drug to the boy and demanded his ornaments. On the boy refusing, the accused snatched forcibly two of his ornaments and tried to take off the rest. He took the boy to a well and made him sit on the platform used for drawing water and threw him into the well. The boy fell down on his legs and remained in the water till eleven the next morning. About that time a boy hearing a noise in the well called for help. The boy in the well was taken out by means of a "dhotur" and made over to his father. The accused made a confession before the Magistrate who committed him to the Sessions. The accused was convicted and sentenced by the Sessions Judge for nine years.

Calcutta and Mofussil.

Mr. B. L. Gupta.—The Hon'ble Mr. Behari Lal Gupta, Superintendent and Remembrancer of Legal Affairs, is allowed leave for fifteen days.

Supreme Council.—We are glad to learn that Mr. G. K. Gokhale has been nominated as additional Member of the Viceroy's Legislative Council for the third time. His reappointment will give general satisfaction.

D. I. G. of Police.—Mr. T. C. Orr, District Superintendent of Police, Patna, is appointed to act as Deputy Inspector-General of Police, Northern and Western Range, during the absence, on deputation, of Mr. Knyvet, C.I.E.

Mr. G. K. Deb's Promotion.—Kumar Gopendra Krishna Deb, District and Sessions Judge, Hooghly, is appointed to act, until further orders, in the first grade of District and Sessions Judge, with effect from the 31st March 1905 vice the Hon'ble Mr. Justice C. B. Caspersz, on deputation.

Offshoot of the Vaughan Case.—An application was heard on Tuesday before Mr. D. H. Kingsford, Chief Presidency Magistrate, in which Mr. and Mrs. Masson, who were charged on the day before with defaming Mrs. Vaughan, figured as complainants, charging Mrs. Vaughan with using abusive language and criminal intimidation. The offences were alleged to have been committed when the defendant was sitting at her place, in the Hotel Continental, and the complainants were passing by. The matter was adjourned till the 1st proximo.

Soldiers Sent to Jail.—On Tuesday, before Mr. D. H. Kingsford, Chief Presidency Magistrate, the case in which two soldiers named C. Swift and C. Smith of the West Riding Regiment stationed at Dum-Dum, stood charged, at the instance of the Great Eastern Hotel authorities with attempt at house breaking by day came on for hearing. Accused were found guilty and sentenced to undergo rigorous imprisonment for three months each. They were also fined Rs. 65 each in default one month's rigorous imprisonment. The fine, if realized, would be paid to the complainant by way of compensation.

Departmental Examination.—The following rule regarding the Departmental Examination Rules of Assistant Magistrates and others, 1905 is published: No Native Member of the Executive Branch of the Provincial Civil Service or the Subordinate Civil Service is liable to examination in a language which is his own vernacular. Subject to the above proviso (i) All members of the above Services are required to pass by the Higher and Lower Standards in the vernacular of the district in which they may be serving and also in a second language by the Higher Standard only. Officers passing a third language examination under this rule will be entitled to a reward of Rs. 180. These rules apply to officers under 35 years of age on the 1st July 1905.

Curious Incident at the High Court.—Before Mr. Justice Sale at the High Court the suit of Sir Thomas Aquin Martin and others vs. Sreemutty Thakurani Debi and others was taken up. The suit itself was one of no public importance, but a rather curious incident occurred which the public will no doubt read with interest and amusement. Mr. Gregory on behalf of the plaintiff had called a son of the defendant as a witness in this case about three weeks ago for the purpose of proving a deed of partnership which had been entered into by his mother, but on that occasion the witness suddenly disappeared from the Court. A warrant was then issued for his arrest, but it remained unexecuted for three weeks at the end of which time he came to Court and was arrested upon it. Mr. Gregory then applied to his lordship to take up the case and allow him to examine this witness. This was done, but it was then found that the witness's memory suddenly failed him and he denied all knowledge of the transaction in question as well as the fact of his going to the Registry Office. Owing to the attitude taken up by the witness Mr. Gregory was compelled to ask for an adjournment to call this man's brother. The adjournment was granted but his lordship did not believe the witness and was of opinion that he had committed contempt of Court and he therefore directed that the witness should be sent to prison until the Court was satisfied that he was repentant. Monday morning the witness was brought up from the Presidency Jail in charge of two warders and on being placed before his lordship he stated that on reflection he remembered the transaction and admitted that he had attested the document referred to on behalf of his mother. His lordship granted a decree for the amount claimed with costs and directed the release of the witness.

Guardianship of a European Girl.—A rather interesting matter has just been decided by Khan Bahadur Budreddin presiding on the Sudder Honourary Bench, relating to a case in which, at the instance of Mr. U. H. Herdon, a driver on the Eastern Bengal State Railway, a notice had been issued upon a Mrs. Chamberlain, residing in the Naroldangah Barracks, calling upon her to show cause why she should not be prosecuted, under section 211, I. P. Code, for falsely charging the complainant with kidnapping her niece, Miss Gladys Egerton, from her lawful protection. Mr. Khodabux, barrister, appeared for the complainant, and Babu Behari Lal Chunder for Mrs. Chamberlain. The latter it would appear, had brought up her niece, Miss Egerton, from the age of 18 months, who was now over 16 years of age, was employed as a typist in the Eastern Bengal Railway Office, and as usual went to work on the 1st May, but since then she did not return home. Mrs. Chamberlain reported the matter at the Ballaghata Thana, suspecting that her niece must have been taken away by Mr. Herdon. The Police having regard to the fact that the girl was over 16 years of age took no action in the matter. Mr. Herdon thereupon moved the Magistrate for a process against Mrs. Chamberlain, under section 211 I. P. Code. The Magistrate held that the information given by Mrs. Chamberlain at the thana did not come within the provisions of section 363 I. P. Code, nor was it given with the object of causing injury to the complainant. His Worship expressed himself perfectly satisfied that the complainant had not enticed the girl, who left Mrs. Chamberlain's house with her own free will, and of her own accord, and that Mrs. Chamberlain gave information to the Police in good faith. Under the circumstances the issue of a process, under section 211 I. P. Code, against Mrs. Chamberlain, was refused.

Bank Rate.—The Bank of Bengal rate for demand loans remains at 13 per cent.

Registration Department.—Babu Sarat Kumar Banerjee is appointed to act as Rural Sub-Registrar, Jhinda, Manbhum, during the absence, on deputation, of Babu Jotindra Chandra Mukherjee.

Commercial Class Examination.—The undermentioned students have passed the final Commercial Class examination held in April 1905:—Berat Behari Neogi and Mohit Mohan Banerji (Presidency College).

P. W. D. Engineer Establishment.—The Lieutenant-Governor is pleased to make the following temporary promotions in the above Establishment:—Gordon Ralph J. B. Chuckerburtty, Srish Chunder and Addams Williams, C. all from Assistant Engineer first grade to Executive Engineer, third grade.

P. W. D.—Babu Soshi Bhushan Mozumdar, Supervisor, is transferred, from the Mahanadi to the Pusa Division. Babu Bhushan Chandra Banerjee, Sub-Engineer, third grade, Rajshahi Division, is granted an extension of privilege leave for thirteen days. Munshi Kudrat Ali, Overseer, 2nd grade, Gendak Division, is granted privilege leave for three months. Babu Monmotho Kumar Bose, Overseer, 1st grade, Champaran Division, is granted privilege leave for two months and 21 days.

Suburban Drainage.—For Suburban Drainage, Main Sewer No. 2 from Puddapukur Road to Chuckerburt Road, North, pieces of land nos. 14, 15, 16, 17-1, 18 Puddapukur Road, 46-1, 46, 40, 39, 38 and 37-1 Chuckerburt Road, North, 9-1, 9, 8, 5-2, 6, 7 and 5 Madhub Chandra Chatterji 2nd Lane, and 8 and 9 Madhub Chandra Chatterji 1st Lane in Calcutta, district 24-Parganas, measuring more or less, 8 bighas, 10 chittaks and 27 sq. ft. will be acquired by Government at the expense of the Calcutta Municipality.

The Monsoon.—The cyclonic storm which was reported on Thursday as forming in the north of the Bay is a small one, and the centre was about 60 miles west of Chittagong. It will probably move in a northerly direction and will give moderate to heavy rain to Lower Bengal and Assam. Calcutta received no less than 6 inches of rain during the 24 hours ending 8 a. m. on Thursday. A strong monsoon with a heavy sea is following in the rear of the storm, so it is likely that rain will soon become general over the whole of Bengal. The pressure gradients are very high in the rear of the storm. At 8 a. m. on Thursday the sea at Saugor Island was high; the barometer rose to 29.459 and the wind velocity increased to 19.26 miles an hour.—W. S. W.

A Charitable Institution for Boys.—We are given to understand that under the auspices of the Simla 'Nabya Varat Samiti' a charitable institution designated 'Saraswati Vidyalaya' has been started at premises No. 14 Jelliatola Lane, Calcutta, with the ostensible purpose of giving education to those boys whose guardians and parents, through indigent circumstances, are unable to take proper care of them. The number on the roll of the institution is at present about 60, some of whom, we are told, are even supplied with the everyday necessities of life. The Raja of Mahisadal (Midnapur) has given a small sum in aid of the institution and the authorities thereof beg for more help from the public. The institution, it is said, mainly depends on the proceeds of a monthly magazine conducted under the auspices of the above Samiti. 'Elliott Prize for Scientific Research.'—Any native of Bengal, including any Eurasian or domiciled European residing in Bengal, may compete for the prize. The endowment will have effect from the 1st August 1905. The essays of competitors are to be sent in to the President, Asiatic Society, by the end of December of each year. The prize will be adjudged to the best competitor and awarded publicly at the Annual General Meeting of the Asiatic Society in February. The Trustees shall announce, in January of each year, to which of the four branches of science the competitors for the prize shall address themselves. Preference will be given to researches leading to discoveries likely to develop the industrial resources of Bengal. In the case of no essay being deemed by the Trustees to be of sufficient merit, no prize shall be awarded, but the amount will be retained, so that in any future year two or more prizes may be given, or the prize enhanced in the case of an exceptionally good essay.

Additional Police Force.—The Lieutenant-Governor declares that from the conduct of the inhabitants of the villages Kailash, Atankaly, Mahabanga, Supada, Mahadua, Kama, Uttar Aamapura, Dima, Alipura, Nomaia, South Daspara, Bagura, Bakazal, Chur Hasabadi Dasabaria, Gasai, Dharabanga, Banajora, Goshinga, Soula, Karpurkati and Satarakandi, within the jurisdiction of the Baural police-station, and Alipura, Paschim Alipura, Mar-mordan, Khalishkhal, Mardana, Garami, Baragopali, Nal-khola, Lakhipura, Shingher Mohla, Alilakshi, Guli Alipura, Syed Jafar, Daminia, Lamna, Dewanbaria, Chandrabaj Jafaraj, Auliyapur and Jouta, within the jurisdiction of the Galschali police-station, in the district of Backergunge, it is expedient to increase the number of police by the appointment of an additional force to be quartered in the said villages at the cost of the inhabitants thereof; and directs that this proclamation shall remain in force for a period of six months from the date of enforcement of the said additional force, which will be notified later on.

Hony. Magistrates.—The following gentlemen are either appointed or re-appointed Hony. Magistrates of the Benches against their names:—Babu Sahagram Singh—Independent Bench at Banka, in the district of Bhagalpur; Babu Parbati Charan Mukherjee and Munshi Karim Nawaz Khan—Shahzadpur Independent Bench, in the district of Patna; Kazi Alauddin—Sadar Independent Bench in the district of Dacca; Babu Hans Prosad Singh—Independent Bench at Sonbursa, in the district of Bhagalpur; Raja Ganeswar Pal—Sadar Independent Bench in the district of Outback; Babu Gaya Prasad Chakraverty—Independent Bench at Kishorjani, in the district of Mymensingh; Mr. T. A. R. Robertson—Independent Bench at Roserah, in the district of Darbhanga; Maulvi Waris Ali—Independent Bench at Jagadipur, in the district of Shahabad; Babu Jagadish Guha—Sadar Independent Bench in the district of Mymensingh. The Lieutenant-Governor accepts the resignation tendered by Kazi Zeaundin Ahmed of his appointment as an Honorary Magistrate of the Sadar Independent Bench in the district of Dacca, as also that by Munshi Bhudul Ali of his appointment as an Honorary Magistrate of the Utiyaga Regular Bench, in the

TELEGRAMS.

REUTER'S TELEGRAMS.

THE RUSSO-JAPANESE WAR.

London, July 25.

Baron Komura has arrived at New York, where the Japanese Colony welcomed him with loud cheering, the band playing the Japanese national air.

London, July 26.

Mr. Sato, Baron Komura's spokesman, was interviewed at New York yesterday, and said he was confident this peace would be successfully negotiated. The Japanese would be guided by moderation, and no excessive demands would be made. The war was costing Japan a million dollars daily, and there was a feeling that there ought to be an indemnity. An armistice would probably be the first move of the negotiations.

London, July 27.

Linievitch states that the Japanese on the 24th instant landed a battalion at Oastries Bay, south of the mouth of the Amur.

London, July 28.

It is definitely arranged that the Peace Delegates will sail from New York for Oyster Bay on board a cruiser on the morning of the 5th August. They will lunch with President Roosevelt that day and re-sail in the afternoon in despatch boats, conveyed by the cruiser, arriving at Portsmouth on 7th August.

A version of the Japanese terms has already been published at Washington with some show of authority. It will comprise an indemnity of two hundred millions sterling and the neutralization of Vladivostok, against which Japan will agree not to fortify Port Arthur.

London, July 28.

In an interview transmitted by wireless telegraphy from an Atlantic liner, M. De Waele declared that there was nothing which had recently occurred in Europe which could remotely or indirectly affect the problem with which he would have to deal at the Conference.

Baron Komura and M. Takahira had lunch with President Roosevelt yesterday at Oyster Bay.

GENERAL.

London, July 24.

The Government defeat was due to a Liberal device. Many dined out and suddenly entered the House. The Conservative Members received a "three line" whip, but many failed to attend.

London, July 25.

There are endless theories as to the motives of the Imperial meeting from the natural desire of the Sovereigns to discuss the political problems confronting Europe to the design of Kaiser to combine Germany, Russia and France against Japan in view of the peace negotiations.

London, July 25.

In accordance with yesterday's threats the Opposition are obstructing business at every turn, and the Bill for dealing with the unemployed has been abandoned.

London, July 25.

Sir Henry Fowler informs Reuter that having read the full text of Lord Curzon's speech, he would withdraw the word "only," used in his question regarding the speech, and substitute the word "unconstitutionally."

London, July 25.

The Times referring to Lord Curzon's speech and the peremptory language of Mr. Brodrick's despatch says it must have been pecuniary gain to man defending not his own pet theory but the Constitutional rights of a great position. It seems that there was no good reason for the Government to involve themselves in an unnecessary quarrel with the greatest of the Crown. In this case, the least said is soonest mended.

London, July 26.

In the House of Lords last night a debate took place on the Shortage of Officers. Lord Doughty said the War Office was examining into the matter in great detail, and steps were also being taken to ensure the sufficiency of Staff Officers. Lord Aitchison's proposed Staff College in India would, he said, benefit the British Army to a considerable extent.

London, July 27.

Famine threatens the greater portion of Russia. Good to medium crops are reported only in Poland, the Ural Province, the Steppe, Caucasus and Siberia. The majority of the peasants have no means of subsistence.

London, July 27.

It is reported at Osaka that the Japanese, numbering many thousands, are vigorously attacking the Russian positions at Funen.

London, July 27.

Reuter's correspondent wires from St. Petersburg that M. de Witte, in an interview published there, said, it is reported, that the institution of the Viceroyalty in the Far East was one of the principal causes of the war, constituting a provocation to China, Japan, Great Britain and America. It corresponded neither to the real strength nor to the true interests of Russia in the Far East, particularly in the Pacific Ocean, where Russia, properly speaking, had no interests.

London, July 27.

The "Daily Telegraph" publishes a report that Sir Antony McDonnell will resign.

London, July 27.

The Russians at Alexandrovsk consisted of a newly arrived battalion, several hundred volunteers and eight guns. The Japanese landed in the vicinity and attacked on the 24th instant. Two hundred prisoners were taken, but the redoubts east of the town stubbornly resisted and were not attacked and captured on the 25th.

General Linievitch states that the Japanese on the 24th instant landed a battalion at Oastries Bay, south of the mouth of the Amur.

General Sir Montagu Gerard has died from pneumonia at Irkutsk while returning home from Manchuria.

The Russian cruiser "Kuban" stopped and examined the British steamer "Fasilka" in the Red Sea on Tuesday.

TELEGRAMS.

INDIAN TELEGRAMS.

PUNJAB CHIEF COURT.

FOUR JUDGES' APPOINTMENT.

Lahore, July 25.

It is practically settled that the four temporary Judges of the Chief Court, Punjab, sanctioned for the present, at any rate for a period of one year, with effect from October next, will be Mr. H. A. B. Rattigan, Legal Remembrancer to the Punjab Government; Mr. D. C. Johnstone, I. C. S., Punjab; Mr. Chitty, Chief Judge of the Bombay Court of Small Causes; and Rai Bahadur Lala Lal Chand, M. A., Pleader, Chief Court, Punjab. Both Mr. Rattigan and Mr. Johnstone have acted as Judges on several occasions, and the latter is officiating as a Judge at present. Mr. Chitty will bring to his work in the Punjab, an intimate acquaintance with the law relating to mercantile affairs, and Rai Bahadur Lala Lal Chand has been for some years in the front rank of the Native legal practitioners.

INCREASE IN RESERVES.

Allahabad, July 25.

Increase in reserves to the Native Infantry this year is 2,500 men. Beyond the number hitherto sanctioned this will probably be maintained for several years to come. A beginning has also been made with the Native Cavalry, 650 men being enrolled in reserve.

CIVIL PROCEDURE CODE.

Allahabad, July 25.

Mr. Green, I. C. S., proceeds to Simla this week per two months' special duty in the Legislative Department in connection with the revision and consolidation of the Code of Civil Procedure.

MILITARY OFFICERS TO JAPAN.

Allahabad, July 25.

Three military officers have been selected to proceed to Japan to study the Japanese language.

P. W. D. APPOINTMENTS.

Simla, July 25.

As already announced Mr. Lionel Jacob C. S. I. succeeds Mr. Sidney Preston on the latter's retirement early in September.

Mr. Jacob is succeeded in Burma as Chief Engineer by Mr. G. G. White, Superintendent Engineer and Secretary to the Agents to the Governor General in Rajputana and Central India.

Mr. White's place in Rajputana and Central India will eventually be taken by Mr. Manmohan Smith, Superintendent Engineer, but the latter officer is at present employed on a special investigation works in connection with irrigation works in Rajputana which will not be completed until next March and from which he could not be moved without detriment to the work. It has been decided to send Colonel Baker, Executive Engineer at present in the Central Provinces as a temporary measure to take Mr. White's place in Rajputana and Central India.

THE AMERICAN BOYCOTT.

SERIOUS SITUATION IN SHANGHAI.

Colombo, July 26.—A special telegram from Hongkong to the "Times of Ceylon" states that the American boycott is assuming serious dimensions. Compradores of the American firms in Shanghai are threatened with murder and the destruction of their homes. American gunboats at Canton are prepared to take the offensive in case of violence.

SENSATIONAL ABDUCTION CASE.

REWARD INCREASED.

Rangoon, July 26.—In the sensational abduction case in which the daughter of Maung Ohn Ghine, C. I. E., was forcibly carried off in broad daylight by the son of a wealthy rice broker, aided by armed band-mates, no trace can be obtained of either, and the reward of Rs. 1,000 offered by the Police for the girl's restoration to her distracted mother has been increased to Rs. 1,500. The leading Counsel practising were have been retained for the prosecution.

EARTHQUAKE SHOCK AT SIMLA.

Simla, July 26.

There was a decidedly smart shock of earthquake this morning about 4 o'clock which sent a good many people rushing out of their houses. Its duration was brief, but several persons declare it was as violent as the shock on the 4th of April.

THE PEACE DELEGATES.

London, July 26.

M. D. Witte has sailed for New York.

After a conference with Bar on Komura at New York, M. Takahira visited President Roosevelt to-day at Oyster Bay with reference to the Peace Conference. Roosevelt receives Komura informally on Friday.

EXTRAORDINARY RAINFALL.

THOUSANDS OF PEOPLE HOMELESS.

Bombay, July 26.

At Ahmedabad on Tuesday night, the weather was cloudy and stormy. The total rainfall is over 40 inches. The floods in the Madhupura suburbs are subsiding. Only a few miles have started work. The Collector has visited the damaged parts and the police keep watch. Assistance has been arranged. Over 10,000 people have been rendered homeless. The exact loss is impossible to estimate. Prospects are favourable, unless the river is over-flooded, as is expected.

PLAGUE MORTALITY IN INDIA.

Simla, July 27.

Plague has practically disappeared and during the week ending 22nd July, the total fell from 1,567 to 786. The Bombay Presidency now leads with 471 cases, Burma 156, the Punjab 49, Mysore 49, Bengal 24, Rajputana 16, Madras 15 and United Provinces 6.

PARTITION OF BENGAL.

FORMATION OF THE NEW PROVINCE.

Allahabad, July 28.

The date on which the proclamation will be issued announcing the formation of the new province, "Eastern Bengal and Assam," has not yet been announced. It is understood that the necessary preliminary measures being pushed forward rapidly by the India Government the delay will be minimised as much as possible.

R. E. ESTABLISHMENT.

Allahabad, July 28.

The Army Council seems to consider the R. E. Establishment of the Home Department excessive and that it should be cut down. A committee has been appointed to examine the question. Pending their report India may be prepared to take as many officers as can be sent out.

RETIREMENT OF MR. POPE.

Allahabad, July 28.

Mr. J. Van Someren Pope, Director of Public Instruction, Burma, will be retiring at the beginning of next April.

TELEGRAMS.

INDIAN TELEGRAMS.

SURT, JULY 25.

The flood in the Tapti, has subsided and communication with the villages on the opposite bank of the river has been resumed. Rain was general in the district. The official report states that the maximum rainfall for the week in the Surat district was 12 inches. The crops are in good condition, except in the low-lying parts, where they have suffered through the excessive rain.

HEAVY RAIN IN BOMBAY.

FLOODS IN POONA.

SEVERE DAMAGE AND LOSS.

Bombay, July 27.

Rain continues in Ahmedabad. Six lakhs worth of grain has been damaged, three houses collapsed, and a tank burst submerging surrounding villages. Many houses are also collapsing in other towns in Gujarat. The Railway line south of Ahmedabad which was breached temporarily has been restored and communication has been restored. Traffic between Ahmedabad, Delhi and Kathiawar are still interrupted on the narrow gauge line. Much damage has also been reported. On the G. I. P. Railway the bridge between Khandwa and Dongargarh is in danger and part of the railway bund has been washed away. Passenger trains which were stopped for 16 hours commenced on Monday morning. Goods traffic still suspended. Great floods are reported in Poona.

The following official reports are to hand: Between Mehmabad and Barejadi, about thirteen miles south of Ahmedabad, the bund flooded and the banks were washed away on the morning of the 23rd instant. The last train that came over safely was the passenger train which left Ahmedabad at 9.5 a.m. on the 23rd. Since then up to yesterday morning no trains in either direction have gone right through, the down trains from Bombay having stopped at Mehmabad, and the up trains having been cancelled except one train yesterday morning, which left Ahmedabad at 12, and the passengers of which were transferred at the site of the breach. At Ahmedabad and between Ahmedabad and Sabarmati (one station north of Ahmedabad) 34 miles of both lines have been washed away. Since the morning of the 23rd and up to the afternoon of the 24th no passengers could get beyond Sabarmati from the north or beyond Ahmedabad from the south. It is since reported that the metre gauge main line between Ahmedabad and Sabarmati was re-opened on Monday afternoon for day trains only. Information has been received that the damages to the line near Mehmabad have been repaired and that trains can now run through to Ahmedabad. Passengers from north of Ahmedabad by the metre gauge are transhipped across the break north of Sabarmati station.

An Ahmedabad telegram, dated the 25th, says:—It continues to rain steadily and a further fall of nearly three inches was registered last night. The damage done by water getting into the grain and cloth market has been estimated at over six lakhs of rupees. About three hundred houses have collapsed in Madhupura. The Chandra tank has burst and submerged the surrounding villages.

A train that was weather-bound at Ahmedabad since Saturday last arrived in Bombay last night, followed by another train which was similarly detained. The arrangements for the disposal of the mails to and from places in Kathiawar are completely at a standstill. The Superintendent of the railway mail service is arranging to have all mails from Kathiawar opened at Wadhwan and the contents sorted and placed in bags for the big post towns and sections. These bags will be conveyed by trolleys.

CONSTRUCTION SANCTIONED.

Simla, July 27.

The Secretary of State for India has sanctioned the estimate, amounting to Rs. 32,194, including the indirect charges for the construction of the Yen Canal to take off from the right bank of Mu River opposite the head works of the Shweto Canal in the Burma tract of the country to be irrigated by the canal. The canal is situated in the Yen Civil Sub-division of the Shweto district on the west side of the Mu River. The canal will be about 33 miles in length after which it will be continued as a distributary channel for about 11½ miles. A branch canal named Mayagan branch will take off at R. D. 89,000 and have a length of 13 miles and will then be continued as a distributary for a further length of nearly 10 miles. The total area commanded by the canal is estimated at 168.75 square miles of which half or 84,000 acres will be irrigated annually. The net revenue anticipated is 189,000 per annum, which is equivalent to a return of Rs. 5.37 per cent on the total capital outlay of Rs. 35,21,984.

GAZETTA OF INDIA.

Simla, July 28.

Mr. Gokhale is appointed additional member of Viceroy's Council.

The services of Captains Banard and Porter and Lt. Col. Henderson all I. M. are replaced at the disposal of the Commander-in-Chief.

Lt. Col. Wylie and Major Waller, Cantonment Magistrates, are permitted to be Cantonment Magistrates on staff pay of Rs. 600.

Mr. A. M. Dunne, Registrar of Diocese of Calcutta is granted leave, Mr. Pearson Bar-at-Law officiates for him.

The services of Mr. H. C. S. are replaced at the disposal of Home Department.

Mr. Fisher, conservator of forests, central provinces is granted three months leave and Messrs. Haines and Chatterbuck are given officiating promotion.

Mr. Grandin, conservator of forests central provinces is granted three months leave Mr. Caccia, officiating Mr. Tottenham officiates as conservator of forests, tenasserim in vice Mr. Loe.

Mr. A. J. Scratchey becomes superintending engineer 4th class.

Mr. Jacobs executive engineer 2nd grade officiates as superintending engineer 2nd grade officiates as superintending engineer in addition to his own duties vice Mr. Maconchy.

Captain Williams I. M. S. agency surgeon is granted leave for three months and fifteen days.

The services of Capt. Lubbock (R. R.) are replaced at the disposal of Commander-in-Chief.

TELEGRAPHIC REPORTS, ON AGRICULTURAL PROSPECTS.

Simla, July 28.
The Government of India has received the following special telegraphic reports, dated 22nd July, on agricultural prospects:
Madras:—Rainfall up to 15th July above normal in eight districts; approximately normal in two districts; below normal in thirteen districts, namely Vizagapatam, Godavari, Kistna, Guntur, Kurnool, Anantapur, Cuddapah, Nellore, Chingleput, Madras, North Arcot, Arcot, Malabar and South Canara. Deficiency is proportionately largest in Madras and Chingleput and following defective North-East monsoon water supplies are generally short. Cultivation figures show a deficiency as compared with the five-year average in most districts. Prices are below scarcity rates in all districts, but are approaching scarcity rate in Madras, North Arcot and South Arcot. Second sort rice and three standard dry grains are above equal to warning rates in all districts. There is no reason to suppose grain stocks depleted. The standing crops have improved by recent rains, but more rain is generally wanted. Prospects depend upon further rainfall. Opening of test works are not at present necessary; but unless well distributed rain falls within the next month such works may be required on a small scale in parts of South Arcot, Chingleput, North Arcot, Cuddapah and Nellore.
Bombay and Sindh unirrigable area:—Rainfall sufficient elsewhere inundation satisfactory. Early sown crops are flourishing generally. Stocks sufficient. Fodder supply is adequate except in Hyderabad and Thar and Parkar and parts of Kurrachee and Sukkur. Prices are normal and steady.
Cutch, Cambay and Baroda:—Rainfall generally sufficient, but somewhat short in parts of Baroda and Cutch. Sowing in progress generally and completed in parts. Stocks are sufficient. Prices are normal. Fodder is sufficient except in parts of Baroda.
Kathiawar:—Rainfall deficient in parts, but sowing in progress generally. Stocks sufficient. Agricultural stock in good condition. Prices are normal.
Gujarat:—Rainfall good except in Broach, where it is somewhat deficient, but sowing in progress and seedlings in fair condition. Stocks are sufficient. Prices are normal or slightly above. Fodder is sufficient except in Broach, where it is deficient in parts.
Konkan, Sawantwadi and Kanara:—Rainfall late and agricultural operations consequently delayed. Sufficient rain since received and transplantation is in progress generally. More rain is wanted. Stocks and fodder are sufficient. Prices are steady.
Deccan:—Rainfall fair to good in Khandesh, Nasik Ahmednagar, Poona and West Satara; elsewhere moderate. Sowing has been retarded in Sholapur but generally is well advanced or completed and seedlings in good condition. Stocks and fodder are sufficient. Prices are normal or slightly above.
Karnataka:—Rainfall generally deficient in greater portion. Sowing retarded and seedlings beginning to wither elsewhere. Sowing continues and seedlings in fair condition. Fodder is scarce. Stocks are sufficient. Prices are little above normal.
Bengal:—In most of the districts in Bengal the rainfall has been above normal. The rainfall from 1st January to 19th July is in considerable defect in the districts of Bankura, Patna, Gaya, Shahabad, Muzaffarpur, Bahal, Parganas, Cuttack, and Balasore, the greatest deficiency occurring in Muzaffarpur. The condition of the crops is fair even in these districts and there is at present no reason to anticipate any failure of crops. Prospects generally are favourable and there appears to be no cause for any anxiety regarding the crops throughout the province. Though the last spring wheat and winter rice crops were not very good there is nothing abnormal in the prices and this seems to indicate a fair reserve of food grains.
United Provinces:—Rainfall sufficient; agricultural prospects so far good. Grain markets well stocked. Prices above normal.
Punjab:—Sufficient rain for sowing was received in all districts in the second week of July, the heaviest rainfall being in the south-east including Hissar. The monsoon, although somewhat delayed, is generally in good time for autumn sowings. It is expected that a full area will be placed under autumn crops. Stocks are ample and prices normal.
Burma:—Latest information about monsoon and agricultural prospects is as follows:—Rains broke a little later than usual but have been generally ample and well distributed and about the average. More rain is wanted in parts of Yamethin, Shwabo, Sagaing and Myingyan, but crop prospects as a whole are very favourable. Stocks of grain are ample. Prices are somewhat above normal in Lower Burma owing to manipulation of speculators but below normal in Upper Burma. No distress is apprehended in any part of the province.
Central Provinces:—The rains began very late and on that account the total fall since June 1st is everywhere below the normal and in most places very far below it, but during the last three weeks the fall has as a general rule been ample and well distributed while the continuous cloudy weather has been beneficial and at the present moment prospects are nearly everywhere excellent. More rain is required in places and particularly in parts of the Jabalpur Division and Chanda while in Raipur a break would be welcome. Sowing of autumn crops are well advanced cotton sowings being practically finished. Germination has been good. Irrigation of land for spring crops

has begun. In Chattisgarh the success of the early rice crop is already assured. The level of prices indicates that stocks of grain are sufficient. Prices are considerably higher than at the same period last year, but do not vary much from the average of the last five years being more frequently below than above it.
Assam:—Agricultural conditions and prospects may generally be considered as normal. The weather has been peculiar and there are areas in which rainfall has been insufficient. The rice crop is somewhat below normal in the Upper Assam Valley and in parts of Sylhet where prices are rather higher than the average. On the other hand there are extensive areas in which prospects are very good and taking the province as a whole there is no present cause for anxiety.
North-West Frontier Province:—Rainfall below average in all districts except Hazara. Autumn sowings postponed in Bannu, but elsewhere they have either commenced or are completed. Areas sown on unirrigated lands below normal; in Peshawar average; elsewhere condition of standing crops are fair. Stocks of food-grains and fodder sufficient everywhere except in the Daman and tract of Dera Ismail Khan. Prices are average except in Dera Ismail Khan, where they are above normal. Canals working well and water sufficient.
Coorg:—Rainfall deficient, but deficiency is immaterial provided later rains are normal. Prices are slightly above average and stocks slightly below especially in South Coorg, but the variation is not sufficient to warrant any present apprehension.
Central India:—The rainfall though late and in some parts deficient has been decidedly favourable. Prospects are distinctly good and there is no present cause for anxiety even in those areas where deficiency is most marked. Stocks of grain are adequate throughout the province and prices are generally normal or below normal.
Rajputana:—Rainfall considerably deficient in Ajmer and in all States except Mewar, Sirohi and Bharatpur. There has been sufficient rain for sowing in nearly all parts of Rajputana though more is needed in Ajmer Merwara, Kishenghar and parts of Jaipur and Jodhpur. One further good fall of rain is needed everywhere within the next fortnight failing which crops sown may not germinate and the situation will become serious. Prices of cheapest food grains are higher than normal in Bikaner by 39 seers, in Marwar by 178 seers, in Jaisalmer by 3.69 seers, in Sirohi by 1.57 seers, in Tonk by 1.32 seers, in Karauli by 1.88 seers, in Ajmer by 2.72 seers and in Merwara by 1.97 seers per rupee. They are slightly lower than normal in Mewar, hilly tracts, Mewar, Bundi, Kotah Jhalawar, Jaipur, Kishenghar, Alwar, Bharatpur and Dholpur. Doubt as to development of monsoon has thus not yet seriously affected prices, but may be expected to do so shortly if rain is much further delayed. Present stocks of grain are reported sufficient for one year's requirements in Bikaner, Kotah, Jhalawar and Bundi, for six months in Jaipur, Bharatpur, Karauli and Dholpur and for four or five months in other States except Jaisalmer, where importation of food grains is sufficient. Stocks are sufficient in Ajmer-Merwara.
Grain supply can be supplemented almost everywhere by rail if necessary in spite of stocks held by traders. Staying power of people is exhausted by long series of bad seasons and if rain holds off long famine conditions may be expected to appear at an early date.
NOTES FROM BENARES.
(FROM OUR OWN CORRESPONDENT.)
Benares, July 27.
THE CONGRESS.
The Committee here seems to be greatly hampered by the inaction and apathy of the accepted Congress leaders in the province. In everything that it does, I am informed, it takes care to consult all of them, but they seldom come to Benares and their advice reveals their unconcern. Take for instance the case of the election of the President. The local Committee is very anxious to decide this at once in order that the President-elect may have sufficient time to study the Congress literature and prepare his speech, but some of the leaders, who shall be nameless, think that it is too early; so the question remains in abeyance. I am not on the Committee, but my information is that several important questions are pending unsettled, and even ordinary matters may hang over from week to week awaiting mandates from Lucknow, Allahabad and Nainital. I can not find any means to disparage the work of the local Committee, they punctually hold meetings every week and do their best, but unless the leaders make it a point to materially assist them their very reputation is at stake and their leadership at the risk of being ignored or challenged.
THE VOLUNTEERS.
Scores of applications are being received every day from boys in all parts of the country requesting, imploring, and even threatening to be enrolled as Congress Volunteers. The local Committee is not prepared to consider this question so early as this, but boys are importunate and demand immediate consent. I happened to pass half an hour by the side of the Congress Secretary and heard from him the difficulty in which he is placed. He showed me a letter from a boy in Rajkot (Kathiawar) in which he actually threatened "to overthrow the Congress" unless he was at once informed of his enrolment. He had written four times before, but not having received replies he sent this threat. Another boy of Nagpur probably tired by the reticence of the local Committee said "in effect that he would join the Aligarh clique and 'denounce the Congress.'" A third from Madras has sent his application which

covers ten pages of foolscap and is more an essay on the Congress than an application for volunteership. But probably the most practical thing has been said by a Bengali boy. Writing for the third time from Hooghly he says, "If, Sir, you do not make me a Volunteer I shall prevent every man in this city from subscribing to Congress, and you will get no delegates from here."
THE LIEUTENANT-GOVERNOR.
Sir James has arrived here. I wish he were always to remain here. His presence has at least some effect on the Municipality and the roads, especially those which he passes through, are now kept clean and carefully swept. For two days previous to his arrival dozens of sweepers were seen working on all the principal roads where previously they were only conspicuous by their absence. A deputation from the Committee for the Promotion of Sanskrit Study waited on him yesterday to which he promised assistance and sympathy. Another from the Congress Exhibition will wait to-day. Our Commissioner Mr. Baillie, and the Joint Magistrate Mr. Blunt are exceedingly good men. As regards Mr. Radice, the Collector, there is no complaint for he is also popular but we wish very much to have Mr. Lovett or even Mr. Lambert for our Collector.
AGRICULTURAL ASSOCIATIONS IN INDIA.
Some Object Lessons.
Mr. H. Beauchamp, Editor of the "Madras Mail," has contributed an article to the last number of the "Indian Review," under the above heading from which we take the following extract:—
"As Japan and everything Japanese is just now attracting the widest and deepest attention in India, let us see what lessons the New Agriculture has taken there. This we are enabled to do by studying a Report presented to the United States Government a few months ago by Consul General Bellows. Now, as regards small holding agricultural Japan resembles agricultural India in a striking manner. Thus in Japan, fifty-five per cent. of the families engaged in agriculture cultivate less than two acres each, 30 per cent. cultivate from two acres to a little less than three and three-quarter acres, and the remaining 15 per cent. cultivate three and three-quarter acres or more. Not only too, are the farms small in themselves, but they are generally made up of different patches of land, so that a farm of two acres may consist of several non-adjacent lots, the average size of a lot being about one-eighth of an acre. The tools, and appliances used are primitive in character, but the Japanese farmer fertilises and cultivates in thorough-going fashion, thus securing an abundant harvest, besides often raising two or more crops a year on the same field. In the warmer latitudes barley, indigo, beans, and rape are grown successively on one plot of ground within the space of one year. The other agricultural products include rice, rye, wheat, mulberries, sweet and other potatoes, millet, buck-wheat, tea, tobacco, cotton and hemp. Stock-raising is in its infancy and poultry-farming is inadequately developed, eggs being imported from China to the value of £100,000 a year. On the other hand, the Japanese farmer generally follows some subsidiary occupation, such as rearing silk-worms, reeling silk, or spinning. Alternatively he may work for wages in the intervals of his own farm work.
"Such are the normal conditions of Japanese agriculture on which the organisation scheme fostered by the Government is being developed. That scheme would seem to be mainly of a three-fold character: legislative, educational, and financial. Under the first head are comprised laws respecting irrigation, the protection of forests, the control of rivers in the interests of the farmers, the re-arrangement of farm boundaries, and the formation of Farmers' Guilds. Under the second head the Government aids the local Treasuries to maintain six agricultural schools for the instruction of farmers' sons in the general principles of agricultural, surveying, veterinary science, and kindred subjects. The Government also conducts an experimental farm on which is a curing workshop, a laboratory for investigating the disease of cattle and poultry, a cattle-breeding pasture for improving the native breeds of cattle for meat and dairy purposes, and two horse-breeding pastures for promoting the introduction of better horses. As regards farmers' Guilds or Agricultural Associations, we learn that they are formed by the farmers (under the auspices of the Government) for the promotion of their common interests; but when organised in conformity with the prescribed conditions, they are further permitted to borrow money from the State hypothec Banks under conditions much more favourable than could be secured by farmers acting independently. The Guilds also undertake works for the common benefit, and especially those that relate controlling the course of the volume of rivers, irrigation and drainage systems, road-building, reclamation of uncultivated land, measures for protection against insect pests, and similar enterprises.
"So it would seem that Japan, following in the footsteps of other countries, has readily adopted and put into practice the conviction that, if agriculture is to prosper, it must be by means of effective organisation, conducted along lines suited to local conditions and requirements, and founded primarily on a happy combination of State and active self-help."

NOTES FROM "INDIAN" PLANTING AND GARDENING.
A New "Spider Orchid."—We have several times drawn attention to that remarkable orchid, "Arachnanthe moschifera." Mr. R.A. Rolfe now describes in the "Gardener's Chronicle" a new species "Arachnanthe Annamensis." Rolfe. He says: "A striking species of Arachnanthe has appeared among the Annam importations made by Messrs. Sander and Sons through their collector Micholitz, and has just flowered with Mr. F. W. Moore at the Glasnevin Botanic Garden. It is one of a number picked out of this importation by Mr. Moore, and until it flowered was thought to be a species of Trichoglottis. On flowering however, it proves to be very different. When I first saw a flower I thought it belonged to the old Arachnanthe moschifera, on account of the general shape and markings, but on comparison it proves to have a very different lip and the leaves are also much more elongated. This, however, is its nearest affinity, and the lip is just as delicately mobile, responding to the slightest movement like some species of Bulbophyllum or Cichripetalum though very different in shape. Mr. Moore states that the plant is stiff and erect, about 18 inches high, and the inflorescence sent to Kew is over a foot long and bears six flowers. They are just as large as in A. moschifera, very heavily barred with red-brown, the resemblance being increased by the falcately-curved petals and lateral sepals. It is a very striking addition to a small but very remarkable genus. No doubt the Royal Botanic Garden, Calcutta, will soon have a plant of this."
Plant Disease Investigation in Germany:—It is interesting to note what they are doing in Germany in the way of investigating the diseases of plants. The "Journal of the Board of Agriculture" publishes some interesting notes in this connection. It seems that the Department of Plant Diseases of the German Agricultural Society has recently been transferred to an Imperial Institute. In 1889, at the instigation of Professor Kuhn, of Halle, the German Agricultural Society resolved to form a section which would be concerned with the investigation of the diseases and insects that attack crops. By the summer of 1891 the section had established communication with twenty-one local stations distributed throughout Germany. These consisted, for the most part, of the State experimental stations, though some were of a private character. The work of investigation, and the distribution of information was carried out without any subvention from the Society. The first Report was issued in 1893, and a volume has appeared annually since that year. The first Report contained 106 notices of attack whereas the number in the twelfth Report was 3,904. At the present time some forty local stations are affiliated with the central Society. A book entitled "The Protection of Crops against Diseases and Insects" was issued free to members of the Society in 1892, and 22,000 copies have been distributed. The work, having somewhat outgrown the resources of the Society has not been taken over by the Biological Department of the Imperial Board of Public Health, and considerable extension is contemplated. The various States of the Empire have been approached by the Imperial Home Office with a view of securing the support of their research stations, and cordial co-operation has been promised. A central institute, fully staffed and equipped, will be established in each State, Province, or group of Provinces, and each central institute will have subsidiary institutes or stations affiliated with it. The latter will consist largely of local colleges, agricultural schools, experimental stations, and the like. Finally, each of these subsidiary will be associated with local collectors, chiefly farmers, gardeners, and foresters, of whom it is proposed to appoint about 1,000 for the Empire. The information supplied by the collectors will, in the first instance, be transmitted to the subsidiary institutes, from which it will be passed on to the central institute, to be finally issued in an Annual Report to the Board of Public Health. Applications for advice will for the most part be dealt with by the subsidiary institutes, only the more difficult problems being investigated by the central institutes.

NEW STYLES IN FIREWORKS.
Manufacturers of Fourth of July fireworks have added novelties to their displays this year. Park Place, west of Broadway—like other sections of the borough where trades of the same kind are grouped together—may be called the home of the fireworks tradesmen. There, amid displays of lanterns and American flags, may be found the "devil among the tailors," golden tourbillons, bouquets of gerbs, fiery wagglers, and others peculiarly named mingling with the familiar Roman candles, skyrockets, and pinwheels of years past.
The cry of "look out for the stick" when a skyrocket ascends will be less heard this year as the "stickless rocket" has made its appearance. The description of new devices are certainly up to date: "Lightning candles ascend, and amid the stars there are vivid flashes; fiery spider bombs that burst into a scene which resembles a score of mighty colossal spiders creeping across the sky; the radio-electric shell, that illumines the sky like flashes of 1,000 shafts of forked lightning; and the weird white falls, representing Niagara by moonlight," all these will be seen in many parts of the city.
"Radium" has also been applied to a new device, and the "scintillating wonder or radium bombshells, showing displays of fiery golden dragons flying through the air, each dragon terminating in a radium flash" will cause many to wonder how such an expensive article can be used so generously. Then there are the Japanese daylight fireworks, consisting of human figures, mammoth globes, tigers, fish, etc., which are fired from mortars. A dealer gave this interesting account of these novelties:
"In Japan the natives use a mortar about four feet in height and a foot in width at the top and bottom, gradually expanding towards the centre. The outside is entwined with strong rattan, and in the interior of this rattan is placed a bowl of iron. We use a mortar in this country fashioned somewhat like a small hot water boiler. This one I secured from the Japanese at the St. Louis Fair, and keep it for exhibition purposes only. The figures themselves are released from the bomb high up in the air, and are made so that the inflation is helped by the concussion when the bomb bursts. In Japan the boys follow these figures for miles until they fall to the ground. The Japanese daylight figures are sewed together, and are made of a tough rice paper. In this country paste is used. At the battle of Manila many of these rattan mortars were used, one of which, I personally know, exploded and killed four Filipinos. The war doesn't seem to affect these or other goods we get from Japan, as we have received as many this year as ever. These people also manufacture what we would term parlor fireworks, which are displayed in a darkened room."
But the small boy's chief delight—the firecracker—is seen in abundance. It ranges in size from the baby cracker, the size of a pin, to those fifteen inches long. Mandarin crackers in strings of 40,000 are also here, and if the crowds of purchasers at this early date are a criterion of what is to come, the Fourth of July of 1905 will be remembered as the noisiest since the day began to be celebrated.—"Evening Post."

The facts have just come to light respecting an extraordinary theft of bullion worth £3,200, while on its way from the Kolar gold fields, India, to a buyer in London. Nine boxes of bullion were despatched from the Champion Reef to Bombay for shipment to London. Carefully guarded in the ship's strong-room the gold reached London to all appearance in the same condition as it left the mines. From the cask the mine boxes were taken by van to the Bank of England, and there deposited in safes to await their transference to the buyer. When the latter finally opened the boxes he found to his amazement that one contained iron and lead instead of the expected gold. He promptly communicated with the London representatives of the Champion Reef Company, Messrs. John Taylor and Sons, Queen-street Place, who notified the mine authorities of the theft. Unfortunately, four weeks had elapsed between the transmission of the gold and the discovery of the theft and the Police were consequently handicapped in their investigations. It is understood, however, that a clue has been obtained pointing to the theft having been committed in India.
Tokio, 22nd June.—Peace is now the absorbing topic in Japan and abroad. The leading papers in Tokio, however, bid the public to be assured that there is no intention whatever of discontinuing the war for the sake of conducting peace negotiations. The two things must go side by side. Meanwhile General Terauchi Minister of War, has issued an injunction to the army regarding the peace proposals in which he declares that the prospects are uncertain and the future of the military situation is still remote, so that officers and men should redouble their efforts. The official bulletin issued late on Wednesday night announcing the occupation of Kuang-song (or Kyung-syong) is significant. Kuang-song is on the northern coast of Hamgyong province, Corea, about midway between Songcheng and the estuary of the Tumen River. Who is the leader of the troops in North Corea is not yet officially stated, but it may be mentioned that they have been long awaiting an opportunity for the present operations, or rather in this case, the forerunner of forthcoming operations. Late the southward movement of the Russians in North Corea has been persistently rumoured and it seems to have been a vain attempt to effect a junction with Colonel Madriloff's force. But they have now retired northward. They might present some resistance on the Tumen valley, but no sanguinary conflict as seen in Manchuria is likely to take place. Altogether, the retirement of the Russians in North Corea appear to be due to the hopelessness of support from the sea, in consequence of the annihilation of the naval squadrons, and the constant pressure of the Japanese. The progress of the Japanese in North Corea is said to have been welcomed by the natives, to whom it has caused a sense of relief. As for Manchuria, the dust storms prevailing almost every day of late have prevented observation. It is difficult for outsiders to prophesy when activity will be resumed, but an expert says that it will not be earlier than the beginning of August, namely, after the close of the rainy season. Meanwhile, it seems by no means improbable that the sagacious Japanese leader at the front will attempt to cut the communications between Vladivostok and Harbin. On the other hand, the departure of a new expedition in a "certain direction" is now predicted, and the Japanese men-of-war may be watching Vladivostok. The shares of the Hakodate Dockyard Co. have recently gone up remarkably.

High Court,--July 28.

ORIGINAL SIDE.

(Before the Hon'ble Mr. Justice Stephen.)

SUIT FOR SLANDER.

ROSE MARY MELL VS. WILLIAM HERBERT LEE.

Mr. Garth and Mr. Zorab instructed by Messrs. Orr Dignam and Co. appeared for the plaintiff.

Mr. Hill and Mr. Gregory instructed by Messrs. Sanderson and Co. appeared for the defendant.

CROSS-EXAMINATION OF MR. W. H. LEE.

Mr. W. H. Lee further cross-examined by Mr. Garth said:—I had conversation with Mr. Chesner. The only other Europeans in the station were Messrs. Easton, Walting and Luffman. The latter two were the Superintendents of Police.

You did not dine with them?—No. You dined with Mr. Easton?—No.

Did you mention to each of these gentlemen that you believed the story?—Not that I know of.

To any one of them did you express at any time the slightest doubt of it?—No.

You are a Judge?—Yes. What evidence had you before you?—Mr. Maple's statement.

Do you mean to say guilty of misconduct at the Durbar?—I mean that her behaviour was bad.

What passed there?—She cut jokes of rather significant kind with Captain Murray.

What were they?—About titles and uniform.

What did she say?—I do not remember. Tell us anything else?—I cannot say anything else. I did not sit next to Mr. Maple at the Durbar at any time.

Will you undertake to swear that?—I believe that I did not. I do not like to swear. Mrs. Maple sat behind me. I talked with her about Miss Mell.

Have you any other evidence?—No.

Have you ever been anxious to show up Miss Mell's general character in this suit?—No.

Have you done anything in this suit?—Yes, in self-defence.

You are still anxious to do so?—Yes. You got Mr. Palit's clerk to put an affidavit for you?—I think I did.

Did you get him to swear that "there are over a hundred witnesses who would speak against general character of Miss Mell"?—No.

Was that true?—I cannot say whether true or not.

You know it was filed on your behalf?—Certainly.

You know that was filed on your behalf?—I really do not remember.

Was it true that you had over a hundred witnesses?—It was true.

Have you got these witnesses now?—I could get.

Give their names please.—I remember some of them, viz, Mr. Palit, Mr. Thompson, Mr. Easton.

Have you tried to get Mr. Easton's evidence?—No.

Your advisers?—I suggested to them.

Your advisers thought it prudent not to call him?

(Mr. Gregory objected to the question being put, which was disallowed by Court.)

My advisers thought it prudent not to call him.

Can you name anybody else out of the hundred?—Anath, Bandhu Guha, Jagadish Chandra Guha, a pleader. I cannot recollect any body else.

My advisers told me that Mr. Maple's evidence would be irrelevant as to Miss Mell's general character. I am surprised that his evidence was irrelevant.

You accepted their statements without making enquiry?—Some statements made by Mr. Palit. I did not believe. Some were false. Others were not enquired by me. I have not got any corroborative evidence as to what Mr. Maple told me.

In my interview with Mr. Delevingue I said words to the effect "if you knew what Mr. Maple told me, he had seen with his own eyes, you could not doubt it that it is true."

Mr. Maple is the Baptist Missionary. He said that he saw the act of misconduct.

Did you believe that?—Yes.

Do you state to the court on the evidence of that statement of Mr. Maple alone that Miss Mell was guilty on that occasion of misconduct?—No.

May I take it that you disbelieved Mr. Maple?—I believed Mr. Maple.

I wished to warn Mr. Delevingue and others about this. Mr. Chesner came to me and told the story. Mr. Chesner came to me long after the Club meeting. Except Palit and Maple none told me the story without being invited. Miss Mell was a member of the club at that time I went to Mymensing. Whether persons used to call on her and her mother I do not know. I am not aware that Mr. Maple had any private grudge against Miss Mell. I did not enquire I am not aware that at the time when spreading this news he invited Miss Mell to go to the Baptist Chapel. I thought Mr. Palit was always actively hostile towards Miss Mell.

What was the false story that Mr. Palit told you?—That makes the scandal worse. He told me that she was a common woman.

Do you mean that any single thing you acted without any evidence?—Hardly.

I remember the assault. There were two servants who witnessed it.

Were you horsewhipped on that occasion?—Yes.

Palit wrote out a certain story about the assault on me. It was sent to the moffusil member. I do not remember that Mr. Palit wrote that at that time when I was horsewhipped that there were loss of school-boys. A school master told me about the incident.

That statement of Palit is a lie?—I do not think absolutely. It is an exaggeration.

I did not understand when Mr. Dumbel came to me and said that he wanted to find out what I knew. He wanted to assault me. Miss Mell did not ask me what it was I had been saying. They never said anything about what I was saying about Mr. Mell. They did not give me any support of knowing anything.

Is it a fact or not that you had been spreading scandal against Miss Mell?—Yes, it is. I took care to send Mr. Ghose to a place where he would get all information about the scandal.

You did intend or not that he would act upon that?—No.

Do you know that he acted on it?—I have not the slightest doubt of it.

Between the date of assault and the date of the writing of the club I did nothing. I talked with Mr. Thompson about Miss Mell and the assault. I also talked about with Messrs. Paulit and Maple. All these were before the writing of the letter.

Can you explain the delay?—I had no intention to do anything at all. I acted on the advice of Mr. Thompson.

You were forced to do it?—Yes.

Was it not at your instigation that Mr. Maple went to see the Lieutenant-Governor?—He went to see the Lieutenant-Governor. It was after the assault.

Do you know that when he went to see the Lieutenant-Governor it was to detail the story of Miss Mell to him?—No.

Was it at your instigation that he did so?—No.

Had you any interview with Mr. Roy (senior) at his house?—Yes.

Did you not tell him that you sent Mr. Maple to the Lieutenant-Governor?—I cannot remember.

Do you know that, as the result of that interview with the Lieutenant-Governor, Mr. Roy (the youngest) was transferred?—He was transferred before the general meeting.

What was the object of sending Mr. Maple to the Lieutenant-Governor?—To tell the story of the assault.

Mr. Maple kept that little visit secret?—Yes.

I was told that Mr. Ghose arrived on a Saturday night.

Who told you that Mr. Dumbel accompanied by Miss Mell went to Mr. Ghose?—It was Mr. Paulit. Can you suggest anybody?—I cannot suggest anybody. It is so difficult to say now.

I corrected the Muffasil notice. Mr. Paulit asked me to correct and I corrected it. I remember the general meeting of the club. I do not remember whether I asked if Miss Mell would vote. At that meeting Miss Mell did not do her utmost to find out what the rumours were.

You knew what the rumours were?—I knew some of them.

What is the meaning of saying "I know some of them." Is it your object to suggest that there were stories still about Miss Mell?—I am sorry I meant to say that there might.

Did you help Miss Mell at the meeting to ascertain it?—No. I was not in the chair and I did not say anything to her as I thought it was unpleasant to tell a woman against her moral character when not asked. Mr. Thompson told her that there were rumours against her character.

Why had you not the courage of conviction and you did not tell her then?—I thought the meeting was about the assault.

Do you really mean that Miss Mell was expelled because of the assault alone on you?—I thought so.

It was proposed at that meeting that there should be a postponement in order that she might ascertain what the rumours were and who it was that made them?—Somewhat like that.

You upon that said that if there was a postponement you would resign?—I do not remember.

Was not your object to expel her without any enquiry?—I was rather desirous. I kept silent as I hope now that she might not know who it was that was spreading the scandal. I told Mr. Delevingue that what I told him was confidential. I intended that he should speak to his wife. I was told that he spoke to Mr. Thompson.

Is it a fact that up to the present moment you have not withdrawn anything what you have said against Miss Mell?—No, I have not.

RE-EXAMINATION.

Re-examined by Mr. Gregory witness said:—

In the corrected draft of the moffusil notice it is mentioned that after seeing you Mr. Shore went to see another gentlemen.

Who that gentleman was?—Mr. Maple.

Witness here addressing the Court explained why he was late in coming to Court by two days. He said that he was informed by telegraph that the Hon'ble Mr. Justice Bodilly was ill and consequently the case would not be taken up on Monday.

He received a telegram on Tuesday that the case would be taken up and he started that day. Hence he was late.

MR. HILL'S ADDRESS.

Mr. Hill then addressing the Court said that the question in this case was a very simple one. It was suggested that there were a number of statements mentioned, other than that mentioned in the plaint that were originated in Mr. Lee. The evidence showed that that was not so. Whatever Mr. Lee did was nothing more than to mention the rumours that were already in existence. The persons to whom he mentioned them were persons with regard to whom specially one was put forward by the plaintiff in her case, Mr. Delevingue, with whom he was in such terms of relationship that he was privileged. Mr. Delevingue told them that the statements were made to him by Mr. Lee as he was Junior to him and because he thought it necessary to warn him as a friend with regard to his intimate association with that lady, Mr. Lee and himself gave them and they saw the statement made by Mr. Thompson, that Mr. Delevingue had considered what had been said to him by Mr. Lee had been said to him in his official position and as a matter of fact it might lead Mr. Lee in reporting the matter to the High Court. Mr. Lee had given his evidence before them and had said that Mr. Delevingue was his junior and that he was not to be taken into consideration as a friend. He had also stated that Mr. Lee's predecessor had felt his duty also to warn Mr. Thompson in the same way and that Mr. Thompson certainly considered all that was said to him was said by an official superior. Mr. Lee did do this without any feeling of malice towards Miss Mell. None of the witnesses could tell how the rumour originated. These were not originated by Mr. Lee. The rumours had been rife for a considerable period at Mymensing and long before Mr. Lee went there. If Mr. Lee knew that and did not make that statement, then he had no desire to express the scandal by telling Mr. Shore Counsel then said that they all knew what Miss Mell had said. She had stated that on a Xmas day in 1903 she found Mr. Maple at her mother's bedside and that then he warned her against certain persons. That showed that they were aware of the rumours.

Counsel then said that a great deal had been made of what took place at the club. Those were altogether irrelevant in this case. The only question was, whether her expulsion was due to what Mr. Lee had said and if the expulsion was not due to that, then the special damage claimed fell to the ground. Counsel then cited several cases and concluded by saying that it was a question of privilege. He submitted that on the facts placed before the court the allegations made in the plaint against Mr. Lee had been disproved. Mr. Lee did not originate this rumour. He had mentioned that certain rumours had been rife for a long time and that he had mentioned them in the discharge of what he believed to be his duty to his brother officer. He did not spread any slander against the lady. If the lady's position in Mymensing had been altered it was not due to what she stated, was on her action to assault Mr. Lee, but for the scandals which had been for a long time in existence and which was overlooked. Under those circumstances counsel submitted that the case must fail.

MR. GARTH'S REPLY.

He submitted that was a lamentable thing that the case should fail. Up to the present moment Mr. Lee had not withdrawn a single word of the "slander". In the first place counsel submitted, it was not denied that Mr. Lee used these words. It was because it could not be denied. In considering the question of malice, counsel said that from first to last there were malice on the part of Mr. Lee. Miss Mell's character never was injured in any way till Mr. Lee came to the station. She occupied the same position as all other ladies at the station. Mr. Lee was the Sessions Judge. Mr. Delevingue was the Additional Judge, but he was not under Mr. Lee in any sense. He is absolutely independent. He had no duty cast upon him to tell this story. It was not his official duty. Mr. Lee had no intimacy with Mr. Delevingue. There could not be any privilege. It was a malicious determination on the part of Mr. Lee to tell this to Mr. Delevingue.

Stephen J.—In this case there is no question of official subordination. It is a question of ordinary duties to a new comer at the station.

Mr. Garth.—Mr. Lee was not the proper person. The Commissioner was the proper person to refer.

Miss Mell was invited at the Durbar and she went there. Mr. Lee remonstrated this with Mr. Thompson. Mr. Lee was not the proper person to decide; it was Mr. Thompson, the District Magistrate, who was to decide it. Mr. Lee had determined to poison the mind of every one. It was absolutely necessary that these rumours should be drifted to the bottom. There was absolutely nothing whatever to cause these rumours. She was in the habit of driving to the Maharaja's place and this had nothing to do with the rumours. Her father was the manager of the Maharaja. She was known to him from her birth. Her mother was bed-ridden and she had no one else to go to the Maharaja's place. Was it to suggest that she could not drive to see the Maharaja who was 53 or 54 years of age. Counsel submitted that there was the creation of horrible beastly mind. There was nothing, counsel submitted, when she made a joke with a person who went to the Durbar with his uniform. The conduct of Mr. Lee had drifted her to bring this case and it was the best thing for her to do though she had risked thereby her reputation. And what was the subsequent conduct of Mr. Lee?—When the case was instituted before the Sub-Judge of Mymensingh, Mr. Lee interviewed the Sub-Judge. When the case was tried to be transferred to the High Court Mr. Lee objected to have it transferred. He allowed the suit to go on and had not shown a single statement. Did not this show malice on the part of Mr. Lee?—There was abundant evidence, counsel submitted, of malice and improper motive. Mr. Lee did not express the slightest regret for what he had done. Counsel submitted that it was a fit case for special damages. It was said that Mr. Neville had been saying against her for months and months but there was no expulsion from the club. It might be said that Mr. Lee was the disseminator though not the originator of the rumour, but the expulsion of Miss Mell from the club was not due to the back-bites of Mr. Neville but to the story spread by Mr. Lee. Mr. Lee's action followed the expulsion by which she suffered great injury to her reputation. What was the result of these rumours spread by Mr. Lee? Mrs. Kolonios lost the association of Mr. Shore, the missionary and Miss Mell lost the friendship of whole Mymensingh society. There was ample evidence, counsel submitted, to support this suit. Counsel trusted that the judgment would make it clear that Miss Mell's reputation was spotless, that those rumours were untrue and that she ought to be allowed to take again the place which she had enjoyed before.

JUDGMENT.

The Hon'ble Mr. Justice Stephen then delivered the following judgment:—

In this case the plaintiff sues the defendant for slander, the slander being a statement, that she was a kept mistress of the Maharaja of Mymensingh. The defendant denies the action on two grounds—that the allegations complained of were spoken on a privileged occasion and that the plaintiff is not entitled to any special damage by reason of that. In the first place I consider these two points and I may consider the third occasion on which these statements are alleged to have been made from the point of view as to whether those occasions were such as to give any ground to the plea of privilege. The defendant is the Sessions Judge of Mymensingh and he entered into his duties sometime in Oct. 1903.

At that time Mr. Thompson, District Magistrate and Collector, was in the station for several months. In the Viceroy's order various persons, including Mr. Thompson, were invited to the station afterwards to the occasion of the Durbar.

The second statement was one made to Mr. Delevingue. Mr. Delevingue was the Additional Sessions Judge and had been sent to Mymensingh to help the arrears, which has arisen in the course of the work. He arrived at the station soon after the defendant came there. He was a colleague of the defendant. I suppose, I may judge, a connected colleague of the other. I do not think, in a matter of this kind, whether one officer was or was not subordinate to the other has any application in the case. As between all officers directly connected to one another there should be a good deal of intimacy outside official duty. I do not think it necessary to consider the question whether the one is subordinate or not to the other. What I think important is that Mr. Delevingue having arrived in November this statement was made to him in March. He had arrived with his wife and another lady and those ladies had already called on Miss Mell and were apparently on terms of friendly intimacy with her. It is not, therefore, I think, as if Mr. Lee as if Mr. Delevingue had been a new-comer and if Mr. Lee had named all the ordinary residents of the station giving him advice as to who were proper persons to be called on or not, had that been the case I think it might have been communication as to the various ladies who ought to be honored by Mrs. Delevingue's intimacy, it might have been a privileged one. But whether the statement of this kind can be privileged, whether it referred to ladies who always had been visited by them—is more than doubtful. As it is however, in view of the length of time that Mr. Delevingue had been at the station—in view of the friendly intimacy between Mrs. Delevingue's husband and Miss Mell and her mother—I find it impossible to consider that this statement was a privileged one. Subsequent statement was also made to Mr. Delevingue at the railway station where Mr. Delevingue made further enquiries as to the truth of the rumour which it now appears, at the time it was made, was very ill-founded. Other occasions when this statement, apparently was repeated are accidentally indefinitely described by the defendant himself in the course of his cross-examination. He apparently repeated the statement to Mr. Rogers who was a gentleman in the police and to Mr. Chesner, although the statement to the latter was made after the action was brought. It is therefore immaterial for the present purpose. What was said on these occasions and how it was said, we are not informed. Apparently the defendant did not think it necessary to refrain from discussing in this matter. The statement made to Mr. Delevingue and Mr. Thompson were not isolated occurrences, although the evidence as to the statement made to the other man is not definite for me to attach much importance to it as being in any way relevant for this occasion. Finding therefore as I do that those two occasions were not privileged it becomes unnecessary for me to consider the considerable volume of evidence which had been placed before me for the object of proving express malice.

It is unnecessary that I should consider the conduct of various other persons whose names have been introduced in this case. Some of them no doubt deserve to have their names so introduced and I do not feel much regret about them.

The next point that I have to consider is whether the plaintiff has suffered any special damage by the fact that those words were spoken by the plaintiff. This makes it necessary that I should further briefly notice what I consider the facts that have been proved in this case. In the first place I may point out, with a considerable reluctance, that I consider it is proved that there has been a rumour about the plaintiff in the station probably from the time that she came to the station. These rumours when they came back to two persons, Mr. Thompson and Mr. Delevingue, were not believed by them.

The Hon'ble Mr. Justice Stephen then delivered the following judgment:—

In this case the plaintiff sues the defendant for slander, the slander being a statement, that she was a kept mistress of the Maharaja of Mymensingh. The defendant denies the action on two grounds—that the allegations complained of were spoken on a privileged occasion and that the plaintiff is not entitled to any special damage by reason of that. In the first place I consider these two points and I may consider the third occasion on which these statements are alleged to have been made from the point of view as to whether those occasions were such as to give any ground to the plea of privilege. The defendant is the Sessions Judge of Mymensingh and he entered into his duties sometime in Oct. 1903.

At that time Mr. Thompson, District Magistrate and Collector, was in the station for several months. In the Viceroy's order various persons, including Mr. Thompson, were invited to the station afterwards to the occasion of the Durbar.

The second statement was one made to Mr. Delevingue. Mr. Delevingue was the Additional Sessions Judge and had been sent to Mymensingh to help the arrears, which has arisen in the course of the work. He arrived at the station soon after the defendant came there. He was a colleague of the defendant. I suppose, I may judge, a connected colleague of the other. I do not think, in a matter of this kind, whether one officer was or was not subordinate to the other has any application in the case. As between all officers directly connected to one another there should be a good deal of intimacy outside official duty. I do not think it necessary to consider the question whether the one is subordinate or not to the other. What I think important is that Mr. Delevingue having arrived in November this statement was made to him in March. He had arrived with his wife and another lady and those ladies had already called on Miss Mell and were apparently on terms of friendly intimacy with her. It is not, therefore, I think, as if Mr. Lee as if Mr. Delevingue had been a new-comer and if Mr. Lee had named all the ordinary residents of the station giving him advice as to who were proper persons to be called on or not, had that been the case I think it might have been communication as to the various ladies who ought to be honored by Mrs. Delevingue's intimacy, it might have been a privileged one. But whether the statement of this kind can be privileged, whether it referred to ladies who always had been visited by them—is more than doubtful. As it is however, in view of the length of time that Mr. Delevingue had been at the station—in view of the friendly intimacy between Mrs. Delevingue's husband and Miss Mell and her mother—I find it impossible to consider that this statement was a privileged one. Subsequent statement was also made to Mr. Delevingue at the railway station where Mr. Delevingue made further enquiries as to the truth of the rumour which it now appears, at the time it was made, was very ill-founded. Other occasions when this statement, apparently was repeated are accidentally indefinitely described by the defendant himself in the course of his cross-examination. He apparently repeated the statement to Mr. Rogers who was a gentleman in the police and to Mr. Chesner, although the statement to the latter was made after the action was brought. It is therefore immaterial for the present purpose. What was said on these occasions and how it was said, we are not informed. Apparently the defendant did not think it necessary to refrain from discussing in this matter. The statement made to Mr. Delevingue and Mr. Thompson were not isolated occurrences, although the evidence as to the statement made to the other man is not definite for me to attach much importance to it as being in any way relevant for this occasion. Finding therefore as I do that those two occasions were not privileged it becomes unnecessary for me to consider the considerable volume of evidence which had been placed before me for the object of proving express malice.

It is unnecessary that I should consider the conduct of various other persons whose names have been introduced in this case. Some of them no doubt deserve to have their names so introduced and I do not feel much regret about them.

The next point that I have to consider is whether the plaintiff has suffered any special damage by the fact that those words were spoken by the plaintiff. This makes it necessary that I should further briefly notice what I consider the facts that have been proved in this case. In the first place I may point out, with a considerable reluctance, that I consider it is proved that there has been a rumour about the plaintiff in the station probably from the time that she came to the station. These rumours when they came back to two persons, Mr. Thompson and Mr. Delevingue, were not believed by them.

The Hon'ble Mr. Justice Stephen then delivered the following judgment:—

In this case the plaintiff sues the defendant for slander, the slander being a statement, that she was a kept mistress of the Maharaja of Mymensingh. The defendant denies the action on two grounds—that the allegations complained of were spoken on a privileged occasion and that the plaintiff is not entitled to any special damage by reason of that. In the first place I consider these two points and I may consider the third occasion on which these statements are alleged to have been made from the point of view as to whether those occasions were such as to give any ground to the plea of privilege. The defendant is the Sessions Judge of Mymensingh and he entered into his duties sometime in Oct. 1903.

At that time Mr. Thompson, District Magistrate and Collector, was in the station for several months. In the Viceroy's order various persons, including Mr. Thompson, were invited to the station afterwards to the occasion of the Durbar.

The second statement was one made to Mr. Delevingue. Mr. Delevingue was the Additional Sessions Judge and had been sent to Mymensingh to help the arrears, which has arisen in the course of the work. He arrived at the station soon after the defendant came there. He was a colleague of the defendant. I suppose, I may judge, a connected colleague of the other. I do not think, in a matter of this kind, whether one officer was or was not subordinate to the other has any application in the case. As between all officers directly connected to one another there should be a good deal of intimacy outside official duty. I do not think it necessary to consider the question whether the one is subordinate or not to the other. What I think important is that Mr. Delevingue having arrived in November this statement was made to him in March. He had arrived with his wife and another lady and those ladies had already called on Miss Mell and were apparently on terms of friendly intimacy with her. It is not, therefore, I think, as if Mr. Lee as if Mr. Delevingue had been a new-comer and if Mr. Lee had named all the ordinary residents of the station giving him advice as to who were proper persons to be called on or not, had that been the case I think it might have been communication as to the various ladies who ought to be honored by Mrs. Delevingue's intimacy, it might have been a privileged one. But whether the statement of this kind can be privileged, whether it referred to ladies who always had been visited by them—is more than doubtful. As it is however, in view of the length of time that Mr. Delevingue had been at the station—in view of the friendly intimacy between Mrs. Delevingue's husband and Miss Mell and her mother—I find it impossible to consider that this statement was a privileged one. Subsequent statement was also made to Mr. Delevingue at the railway station where Mr. Delevingue made further enquiries as to the truth of the rumour which it now appears, at the time it was made, was very ill-founded. Other occasions when this statement, apparently was repeated are accidentally indefinitely described by the defendant himself in the course of his cross-examination. He apparently repeated the statement to Mr. Rogers who was a gentleman in the police and to Mr. Chesner, although the statement to the latter was made after the action was brought. It is therefore immaterial for the present purpose. What was said on these occasions and how it was said, we are not informed. Apparently the defendant did not think it necessary to refrain from discussing in this matter. The statement made to Mr. Delevingue and Mr. Thompson were not isolated occurrences, although the evidence as to the statement made to the other man is not definite for me to attach much importance to it as being in any way relevant for this occasion. Finding therefore as I do that those two occasions were not privileged it becomes unnecessary for me to consider the considerable volume of evidence which had been placed before me for the object of proving express malice.

It is unnecessary that I should consider the conduct of various other persons whose names have been introduced in this case. Some of them no doubt deserve to have their names so introduced and I do not feel much regret about them.

The next point that I have to consider is whether the plaintiff has suffered any special damage by the fact that those words were spoken by the plaintiff. This makes it necessary that I should further briefly notice what I consider the facts that have been proved in this case. In the first place I may point out, with a considerable reluctance, that I consider it is proved that there has been a rumour about the plaintiff in the station probably from the time that she came to the station. These rumours when they came back to two persons, Mr. Thompson and Mr. Delevingue, were not believed by them.

The Hon'ble Mr. Justice Stephen then delivered the following judgment:—

In this case the plaintiff sues the defendant for slander, the slander being a statement, that she was a kept mistress of the Maharaja of Mymensingh. The defendant denies the action on two grounds—that the allegations complained of were spoken on a privileged occasion and that the plaintiff is not entitled to any special damage by reason of that. In the first place I consider these two points and I may consider the third occasion on which these statements are alleged to have been made from the point of view as to whether those occasions were such as to give any ground to the plea of privilege. The defendant is the Sessions Judge of Mymensingh and he entered into his duties sometime in Oct. 1903.

At that time Mr. Thompson, District Magistrate and Collector, was in the station for several months. In the Viceroy's order various persons, including Mr. Thompson, were invited to the station afterwards to the occasion of the Durbar.

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It is unnecessary that I should consider the conduct of various other persons whose names have been introduced in this case. Some of them no doubt deserve to have their names so introduced and I do not feel much regret about them.

The next point that I have to consider is whether the plaintiff has suffered any special damage by the fact that those words were spoken by the plaintiff. This makes it necessary that I should further briefly notice what I consider the facts that have been proved in this case. In the first place I may point out, with a considerable reluctance, that I consider it is proved that there has been a rumour about the plaintiff in the station probably from the time that she came to the station. These rumours when they came back to two persons, Mr. Thompson and Mr. Delevingue, were not believed by them.

The Hon'ble Mr. Justice Stephen then delivered the following judgment:—

In this case the plaintiff sues the defendant for slander, the slander being a statement, that she was a kept mistress of the Maharaja of Mymensingh. The defendant denies the action on two grounds—that the allegations complained of were spoken on a privileged occasion and that the plaintiff is not entitled to any special damage by reason of that. In the first place I consider these two points and I may consider the third occasion on which these statements are alleged to have been made from the point of view as to whether those occasions were such as to give any ground to the plea of privilege. The defendant is the Sessions Judge of Mymensingh and he entered into his duties sometime in Oct. 1903.

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The second statement was one made to Mr. Delevingue. Mr. Delevingue was the Additional Sessions Judge and had been sent to Mymensingh to help the arrears, which has arisen in the course of the work. He arrived at the station soon after the defendant came there. He was a colleague of the defendant. I suppose, I may judge, a connected colleague of the other. I do not think, in a matter of this kind, whether one officer was or was not subordinate to the other has any application in the case. As between all officers directly connected to one another there should be a good deal of intimacy outside official duty. I do not think it necessary to consider the question whether the one is subordinate or not to the other. What I think important is that Mr. Delevingue having arrived in November this statement was made to him in March. He had arrived with his wife and another lady and those ladies had already called on Miss Mell and were apparently on terms of friendly intimacy with her. It is not, therefore, I think, as if Mr. Lee as if Mr. Delevingue had been a new-comer and if Mr. Lee had named all the ordinary residents of the station giving him advice as to who were proper persons to be called on or not, had that been the case I think it might have been communication as to the various ladies who ought to be honored by Mrs. Delevingue's intimacy, it might have been a privileged one. But whether the statement of this kind can be privileged, whether it referred to ladies who always had been visited by them—is more than doubtful. As it is however, in view of the length of time that Mr. Delevingue had been at the station—in view of the friendly intimacy between Mrs. Delevingue's husband and Miss Mell and her mother—I find it impossible to consider that this statement was a privileged one. Subsequent statement was also made to Mr. Delevingue at the railway station where Mr. Delevingue made further enquiries as to the truth of the rumour which it now appears, at the time it was made, was very ill-founded. Other occasions when this statement, apparently was repeated are accidentally indefinitely described by the defendant himself in the course of his cross-examination. He apparently repeated the statement to Mr. Rogers who was a gentleman in the police and to Mr. Chesner, although the statement to the latter was made after the action was brought. It is therefore immaterial for the present purpose. What was said on these occasions and how it was said, we are not informed. Apparently the defendant did not think it necessary to refrain from discussing in this matter. The statement made to Mr. Delevingue and Mr. Thompson were not isolated occurrences, although the evidence as to the statement made to the other man is not definite for me to attach much importance to it as being in any way relevant for this occasion. Finding therefore as I do that those two occasions were not privileged it becomes unnecessary for me to consider the considerable volume of evidence which had been placed before me for the object of proving express malice.

It is unnecessary that I should consider the conduct of various other persons whose names have been introduced in this case. Some of them no doubt deserve to have their names so introduced and I do not feel much regret about them.

The next point that I have to consider is whether the plaintiff has suffered any special damage by the fact that those words were spoken by the plaintiff. This makes it necessary that I should further briefly notice what I consider the facts that have been proved in this case. In the first place I may point out, with a considerable reluctance, that I consider it is proved that there has been a rumour about the plaintiff in the station probably from the time that she came to the station. These rumours when they came back to two persons, Mr. Thompson

I am not certain what day I made that statement. At the general meeting of the club, I fear, Mr. Delvinge's name was not mentioned. Mr. Roy was transferred but why I do not know.

Q.—Can you give us any reason why Mr. Lee took so long time in writing the letter?

A.—I do not know his reasons. I had a talk with Mr. Lee about it. I advised him to take action. I did not give Mr. Lee any reasons then. The result of this conversation was that my vote was searched in his favour.

Q.—At the meeting Mr. Pait assured you or did he not that the rumour about the Maharaja's name was true?

A.—He told it was true that she went to Muktagacha.

Q.—Did he not tell you that there could be no doubt about the charge?

A.—As a matter of fact we did not discuss at any length. We were all aware that the rumours were circulated.

Q.—Were there any other rumours except that of Riso and Maharaja?

A.—Yes.

Q.—Do you want to say anything more against Miss Mell?

A.—I do not like to say anything more. I am afraid to answer the questions. One of the stories I first heard was at Dacca. It was from Mr. Savage.

Q.—Do I understand you to say now that you did not believe any of the rumours?

A.—One of these I believed to be false. I am not in a position to express any opinion regarding the others.

Q.—If the Maharaja knew at the time of the meeting of the general committee that the principal rumour referred to regarding Miss Mell was one in which he himself was mixed up was it not serious that he should stay at the meeting and vote for her expulsion?

A.—I do not know whether the Maharaja knew anything of the statements—the statement of which Mr. Lee was the accused.

Q.—Is the Maharaja himself a man of 56?

A.—I think he is 53.

Q.—You know that he had known this girl when she was a child?

A.—I do not know.

Q.—At the meeting she said that she did not know what the rumours were and who was responsible for them. When I made a proposal for a postponement of three months Mr. Lee declared that if we did so he would tender his resignation. That did not put an end to the further discussion. I told Mr. Lee to stop quiet. I turned them to Miss Lee if she would accept.

Q.—Did Mr. Lee not say that he spread the rumour?

A.—Mr. Lee's desire had nothing to do with the expulsion of Miss Mell. I understand that the reason for Miss Mell's expulsion was to ascertain what it was she was saying about her?

Q.—That is not exactly what I understood. Mr. Lee did not give any information to Mr. Shore. That is my impression.

Q.—You tell us why it was that before the general meeting one kind of notice was sent to the town members and another kind to the club members?

A.—The town members were aware of the things being taken and the miffal notice was drafted by Mr. Lee.

Q.—Was the miffal notice drafted by Mr. Lee?

A.—I do not know.

Q.—When you ceased to be so?

A.—I found a more congenial atmosphere at Berhampur. That was after this suit was filed.

Q.—You have suggested that these rumours were rife about nine years ago. How that question came to be asked by Mr. Hill?

A.—Mr. Hill asked me.

Q.—Do you suggest that, that was Mr. Hill's idea?

A.—Yes.

Q.—Were you a recluse nine years ago?

A.—Possibly so.

Q.—You have some society—Select Society?

A.—Yes.

Q.—Will you undertake to swear that you had a meal at Miss Mell and Mrs. Kolonius house nine years ago?

A.—I have absolutely no recollection.

Q.—Who did you hear the rumour from?

A.—Captain Calvert.

Q.—What did he tell you?

A.—Miss Mell had been kept by the

to Mr. Thompson. On the day when Mr. Rankin came to the station I rode down with Mr. Delvinge to the station. At that time we had another conversation. That was on the 22nd or 23rd March. Mr. Delvinge said that the statements I made regarding Miss Mell were false. He seemed to be very much excited. He wanted to know the name of my informant. I refused to do so. The conversation was then cut short by the arrival of the train. I think he asked me whether I could prove the story. I think I declined to give any reply. I remember Mr. Shore coming to Mymensing. I saw Mr. Shore on the Easter Sunday. It was on the 10th April. I saw him at my house. He said that he had received a letter from Mrs. Kolonius complaining that I have been spreading scandals. I said that it was impossible. He said that Mrs. Kolonius wanted to find out what the people were saying about her.

Q.—Did you see Mr. Dumble at your house after that?

A.—He came to my house on the same day at about 11 o'clock. He stood at my veranda and would not come inside. When I went out I asked him what he wanted. He replied that he came to see me about my lying about his niece and sister. I said if you think you are injured you have your remedy. He thereupon struck me with a stick on my shoulder. I did not strike him back as he was feeble and ordered my men to see him go away. At that time Miss Mell ran towards me from behind a bush. She had a toy dog whip in her hand. She exclaimed "you said, you stick to your words." She aimed a blow at my sola topi which I had and struck across the hat. She struck a second time. I pulled away the hat. She and her uncle then went away.

Q.—Had you ever said to anybody "I will stick to my word?"

A.—No. I did not know what she meant.

Q.—With regard to Miss Mell's conduct had you spoken to anybody else?

A.—It was a matter of common talk. I spoke to Mr. Thompson. I spoke to Mr. Thompson at the train. We were returning from a place called Bajipur. Mr. Thompson asked me about the stories of Miss Mell. I told him that there was a rumour that she was kept by the Maharaja.

Q.—Besides mentioning to Mr. Thompson and Delvinge had you spoken to anybody else?

A.—Not that I remember.

Q.—When did you first hear the rumour?

A.—Long time ago.

Q.—Before you went to the station?

A.—Yes.

Q.—I officiated as District Judge of Mymensing for 3 months in 1896. I wrote a letter to the Secretary of the club with reference to the assault on me. I remember that a general meeting was held. It was on the 28th of May. I was present at that meeting. I did not vote at that time. I have heard that a committee meeting was held. The general meeting was to confirm the committee's action. A notice was also sent to miffal members. In that notice the corrected parts were in my hand-writing.

Q.—Is there any truth in the suggestion that any rumour regarding Miss Mell's character originated with you?

A.—No.

Q.—I was under the impression that what I spoke to Mr. Delvinge was true.

Q.—Cross-examined by Mr. Garth the witness said:—I had troubles at Rajshahi. It caused a considerable disturbance at that place. When I went to Mymensing I had another trouble—under Sec. 133 Cr. P. Code. At Rajshahi the dispute was over a right of way. In the trouble at Mymensing the Commissioner came, but I do not know why he came. The Lieutenant ordered me to allow a free access.

Q.—Are you a recluse?

A.—Not now.

Q.—When you ceased to be so?

A.—I found a more congenial atmosphere at Berhampur. That was after this suit was filed.

Q.—You have suggested that these rumours were rife about nine years ago. How that question came to be asked by Mr. Hill?

A.—Mr. Hill asked me.

Q.—Do you suggest that, that was Mr. Hill's idea?

A.—Yes.

Q.—Were you a recluse nine years ago?

A.—Possibly so.

Q.—You have some society—Select Society?

A.—Yes.

Q.—Will you undertake to swear that you had a meal at Miss Mell and Mrs. Kolonius house nine years ago?

A.—I have absolutely no recollection.

Q.—Who did you hear the rumour from?

A.—Captain Calvert.

Q.—What did he tell you?

A.—Miss Mell had been kept by the

Q.—Did you ever had any talk with Mr. Maple about it?

A.—Often.

Q.—With Mr. Thompson?

A.—Not often.

Q.—Anybody in the Police did you speak to?

A.—Yes.

Q.—Who to?

A.—Mr. Rodgers.

Q.—The Civil Surgeon Captain Murray?

A.—No.

I told about this to the District Engineer. It was a common conversation. I did not say to anybody that I believed them. I did not say so to Mr. Hill. The Court then rose for the day.

COMPLAINT AGAINST THE POLICE.

On Thursday, before Mr. D. H. Kingsford, Chief Presidency Magistrate, the adjourned hearing of the complaint made by Mohamed Bisi against Inspector B. K. Gupta and two other policemen attached to the Joranko thana, for laying a false complaint against the applicant, was resumed.

Mr. Thornhill, instructed by Mr. Remity, appeared in support of the complaint, while Babus Tarak Nath Sadhu, Jotindra Mohun Ghose, vakil, Suresh Chander Mitter, Gyan Chander Gupta, Kristo Lal Dutt, Kessub Chander Gupta, and Surendra Mohun Bose appeared for the Inspector and the policemen.

Mr. Thornhill on behalf of the complainant examined the following witnesses in support of the charge.

Mahomed Bisi examined said:—I remember the day when I was arrested. I was caught in my house in Colootolah. A woman told me that a constable was calling me. Constable told me that Inspector Gupta wanted me. I asked where the Babu was. He said that the Inspector had given him orders to take him to the thana. I then told the constable, "Let me change my dress." He said, "No, you must go with me." I then said, "What have I done?" The constable said that there was a "golmal" and with these words he began to kick me. I was taken to the thana, where I saw Gupta. Babu seated. He, on seeing me, said, "Sala every time you sent petitions." I said, "I have done nothing wrong." The Inspector then ordered the men saying, "Take the sala inside—set him right and bring him out." I was then taken inside the thana lock up. The Inspector said, "I shall send you up in a 'matwalla case.' I was severely beaten inside the thana lock up. I cried aloud saying, "I have been severely beaten. I might die—better send me to the Medical College Hospital." The Inspector said, "Sala you will be sent to the Lal Bazar Lock-up." The Inspector then gave a paper to the jemadar in his own hand-writing which he wrote in my presence and sent me along with that to Lal Bazar. While in the lock-up in Lal Bazar, I asked the jemadar to send me to hospital. The jemadar called the doctor. The doctor examined me. The doctor wanted to know the charge against me. I told the doctor that I was arrested on a charge of drunkenness. He smelt my mouth.

To the Counsel.—I think I was arrested on account of the cocaine case, in which the Inspector wanted me to get a woman's release and spoil the case against her. That case was disposed of two or three months ago. Inspector Babu got angry with me, for my not having complied with his request. I was not drunk nor I had taken any intoxicating drink on the day I was arrested. The case of drunkenness against me was dismissed by the second Presidency Magistrate. Inspector Gupta, Bakra Khan, one Jemadar and Mr. Fagleton of the Excise Department gave evidence against me.

Cross-examined by Babu Tarak Nath, amongst other things, he said:—I have nine previous convictions against me. Babu Tarak Nath submitted that the man was a registered old offender. I shall Here a photo was shown to the witness and he said that it was not his photo. (No photo of his was taken in jail. He admitted that he had been sent to jail for two years on a charge of theft. That was a last conviction.)

Dr. Alla Bux examined said:—I found marks of violence on the person of the complainant. I asked the Jemadar what was the charge against the man. I examined the complainant and I did not perceive the smell of liquor in his mouth. He was not drunk when I examined him. I told the Jemadar that the man was not drunk. Complainant complained of pains on his side. I asked him how he got the pain. He said that the police had assaulted him. I did not ask him who that policeman was?

Cross-examined said:—I passed the examination from the Temple Medical School, Patna.

Tarak Babu.—Do you go to a woman's place in Machoa Bazar?

Witness.—Who says that? (laughter in court.)

Tarak Babu.—I say.

Witness.—Will it be true simply because you say so?

(Here the Court asked the Interpreter to explain to the witness that if he would speak in that tone, his place could be the lock-up.)

Witness continued.—I asked him to show the challan to me. I can't read at being night blind. I saw the challan the morning. I did not ask him to read it out to me.

Q.—Did you notice any

the challan?

Ans.—I saw the

The lock-up

He said:—

being

The

Court.—Can Alla Bux read without specks?

Ans.—No.

Court.—In fact he had no specks at night?

Ans.—He borrowed my specks to read. (laughter in Court.)

Witness continued.—Complainant said that he had been assaulted. After his examination the matter was adjourned for further evidence.

JAPAN AND PLAGUE.

(From an Occasional Correspondent.)

Kyoto, June 24.

It is generally believed in India that Japan got rid of the plague by a wholesale massacre of rats. In this land, too, the popular belief was like that till the beginning of the war. Later information exploded the belief. It would, perhaps, produce a thrilling sensation, when the startling revelation be made that the killing of rats was one of the preparations for the Russo-Japanese war. It was arranged long before that the Japanese army should land in Manchuria at a moment's notice. It was also arranged that the soldiers should be carefully protected from the terrible cold there. Shoes, blankets, overcoats, etc., etc., were prepared. But no satisfactory means for protecting the rats could be devised. By a master stroke of genius, somebody suggested that rat's skin would be the best for the purpose. And immediately orders were issued that anybody bringing a dead rat would get a sum of money equal to an anna. The reason given out, certainly, was that it was meant for exterminating the plague; but the practice did not stop and professional rat-hunters continued to earn money even after the plague, after an ephemeral stay, had left Japan to find some suitable soil for its growth. Very few people knew what all this meant until the transportation to Manchuria of cart loads of rat's skin ear-caps solved the mystery. The practice continues even now and it affords a means of living to many a Japanese who is unfit to do anything harder than killing rats.

The conditions for the prevalence of plague in any place are not that there should be rats and mosquitoes, but that there should be ill-fed, ill-clad, and millions of starving human beings. Japan is not such a country and it is impossible that the plague can establish a footing here. Does anybody believe that if plague-stricken Indians be sent to every town of England, the number of Englishmen catching the infection would exceed a few hundreds?

The real cause of the plague is not that there are rats in India—they are many more in Japan—but that there is starvation. Rats and mosquitoes both carry the infection, and if the former can be massacred, what means is there for annihilating the latter? As long as the present system of British rule in India will continue, so long there will be famines and pests. It is not by killing innocent black rats, that you can root out the plague out of your land.

There was a proposal emanating from Allahabad, and it was supported by the leading Indian paper thereof; that there should be fixed a day of public prayer for the plague. It was, perhaps it might be still, though that God through some miracles would transform the plague germs into some volatile substance, which, at one breath, would ascend up to the skies, never to appear again. I really don't know whether these gentlemen meant anything serious. If they did I beg to suggest one means of carrying out the idea. If prayers there must be, if at every moment my countrymen are to fold up their hands, and look up to Heaven for succour, if appeal to Providence is the dominant tune even in the political music of India, if my countrymen really believe that

More things are wrought by prayer than this world dreams of.

It is but meet and proper that the prayer should be offered in the right direction. It must be offered to the God in whose power it is to banish the plague from India. This God, as far as I have been able to find after a careful survey, is not the omnipresent God generally known as God; He is not the God of the Bible; He is not the God of the Koran; He is not the God of the Vedas; He is not the God of the Ramayana; He is not the God of the Mahabharata; He is not the God whose son was Christ; He is not the God whose friend was Mohammad; He is not the God who incarnated as Narsingha and saved the life of Prahalada; He is not the God who used to go every morning to the door of Raja Bali; He is not the God who incarnated as Parasurama; He is not the God who led the expedition to Lanka; He is not the God who was present in the battle field of Kurukshetra; He is not the God who is at Jagannatha; He is not the God whom Moses saw; He is not the God who sleeps in the sea of the God around whose dance and sing His praise to point out rightly, the

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cers, and almost Rs. 2,600 to the 7th Gu

khas.

Mazagan (Morocco), June 26.—A message

has been received by the authorities here

from the lawless bands in the vicinity that

unless the persons who have been arrested

on suspicion of being implicated in the murder

of Mr. Madden, the Austrian Vice-

Consul, are immediately set at liberty a

general massacre of the Europeans in the

town will follow.

According to the "Canton Times" the Ja

panese Government have recently appointed

a delegate to travel through China, Korea,

and Manchuria, in order to study the agri

cultural and commercial conditions of those

countries, with a view to the extension and

consolidation of Japanese trade and com

merce with them. He will apparently call

first at Shanghai on his way down, and

thence proceed direct to Canton, Swatow,

I. P. C. That your petitioner has also been informed that the case has since then been sent to the Police for further investigation. That the said alleged complainant Bijoy Poddar is an inhabitant of Malbanga where the said Babu Bhabataran Chatterjee had gone on the previous day and your petitioner believes that the said Babu Bhabataran Chatterjee himself, whose object is somehow or other to put down your petitioner and to bring him into disgrace, and thereby to satisfy the grudge which the said Babu Bhabataran Chatterjee bears him. That the said grudge seems to have been intensified by the fact of the above Rule No. 55 Miso of 1905 having been issued by this Hon'ble Court on the application of your petitioner as also by the fact of your petitioner having filed a letter written by the said Babu Bhabataran Chatterjee to your petitioner's employer Maharaja Monindra Chandra Nandi in the above Rule.

"That your petitioner has had nothing to do with and had no connection whatever with the said Bijoy Poddar within the last 7 or 8 years. That about 7 or 8 years ago, your petitioner remembers to have given some advice to the said Bijoy Poddar relating to some of his affairs; and your petitioner believes that the charge purporting to have been brought under Sec. 406 I.P.C. against your petitioner is not a bona fide one brought at the instance of the said Babu Bhabataran Chatterjee, who has used a non-bailable section with the object of carrying out his determination to put your petitioner to the 'hajrat' which determination had been frustrated by the order of this Hon'ble Court as stated above.

"That on the 19th June 1905, your petitioner put in an application to the said Sub-divisional Magistrate through his pleader Babu Barada Kanto Sen, praying for 'certified copies of the petition of Bijoy Poddar, of his statement on oath and of other proceedings in the case and stating that these copies were necessary for the purpose of enabling your petitioner to move the Hon'ble Court for a transfer of the said case. That the said Sub-divisional Magistrate refused the said application for copies on the same day. That certified copies and true translations of the said petition and of the formal application for copies with orders passed there upon are hereto annexed and marked B. B. and C. C. respectively.

"That your petitioner has also been informed and verily believes that since the

said 8th June 1905, the said Sub-divisional Magistrate Babu Bhabataran Chatterjee has been collecting other materials against your petitioner with the object of bringing other criminal charges against him, and that since the said 8th June 1905, the said Sub-divisional Magistrate has examined more than 100 witnesses, some at his own residence, some in the Court, (but within closed doors) and some in the Muffasil. That your petitioner is not aware of the nature of these proceedings nor as to what further persecutions the said Sub-divisional Magistrate intends to subject him to, but it appears from an original summons dated the 10th June addressed to a witness Shafatulla of Tannurbhita, which has been obtained from the said Shafatulla that the said Sub-divisional Magistrate is collecting evidence probably with a view to proceed under Sec. 110 Cr. P. C. against your petitioner. That the said original summons and a correct translation thereof are hereto annexed and marked D and D respectively.

"That your petitioner has been informed and verily believes that all witnesses in connection with these intended future proceedings are being examined privately and that all papers connected therewith kept by the said Sub-divisional Magistrate strictly secret and your petitioner apprehends that the object of the said Sub-divisional Magistrate is to keep these proceedings ready at hand to enable him to arrest your petitioner and put your petitioner to the 'hajrat' as soon as he appears before him either in connection with the said case under sec. 406 I. P. C. or for any other purpose."

ENGINEERING TRIUMPHS.

The twentieth century will be one of great engineering achievements. Two objects are in view, the accomplishment of which will probably rank among its most colossal undertakings—the Panama Canal and the conversion of the power of the Victoria Falls into electrical energy. With regard to the canal, preliminary inquiry drags its slow length along. Quite recently two alternative plans have been submitted by Mr. Lindon W. Bates, which, if adopted, would entirely alter the scheme. One of these would involve the construction of two large lakes and a canal joining them, the lakes and canal being 20ft. above sea-level, whereas the project hitherto favoured is that of a work at sea-level all through. Those who favour the new plans reckon on completing the work in eight years, as against the ten years which have hitherto been allowed. Mr. Bates estimates that his design would save \$85,000,000 (\$17,000,000). The unfortunate experiences of the French Panama Company should warn the American people against too much reliance on either time or cost computed for this enormous undertaking.

TWO CAPE COLONIALS.

CURED OF INDIGESTION BY MOTHER SEIGEL'S SYRUP, AFTER THREE YEARS OF SUFFERING.

No man or woman living in Stellenbosch or Queenstown, Cape Colony, and who is afflicted with indigestion in any form, should suffer any longer if they will read the following letters of Mr. Bernard John Bergstedt and Mrs. Ann Fechter and act upon the information and advice which these letters contain. That advice is to buy and use Mother Seigel's Syrup.

Mr. Bergstedt and Mrs. Fechter are both young people, but each had endured three years of wretchedness from the unfortunate condition of their stomachs before they found the remedy that finally relieved and cured them. It is an odd saying, "What is one man's meat is another man's poison," and so ordinarily it is with medicines. But Mother Seigel's Syrup has scored hundreds of thousands of cures of indigestion in all of the many forms it assumes and with all the varieties of symptom. Just look over these two letters and you will perceive different symptoms are mentioned by the writers, but the complaints gave way before the curative power of this sovereign remedy, after other medicines and even medical attendance had failed.

Mr. Bergstedt lives at Railway Station Stellenbosch, and is a Colonial born in Cape Town. He is now a goods foreman in the service of the Cape Government Railway. In his letter, dated December 23, 1904, he says:—"For over three years I suffered all the torments of acute indigestion. My appetite was very poor, and after meals I had severe pains and a weighty feeling on my chest. I got little sleep at nights; I would wake up, my feet feeling quite clammy, and during the day could not have proper rest. At intervals I had a feeling of heat and the blood had left every part of my body and rushed to my head. After days of medical advice, but no relief, I sought for a remedy. I had heard of Mother Seigel's Syrup and I remembered

Hooghly Notes.

(From Our Own Correspondent.)

Hooghly, July 24.

WIFE MURDER.

Before Mr. G. K. Deb, Sessions Judge of Hooghly one Adhor Bagdi, aged about 45, living at Seojan Bagan, Chinsurah, Hooghly, stood charged with having murdered his wife, Radha Rani, aged about sixteen. Radha used to live with her maternal grandfather Sourovi at Barra Borsia, a village near Mugra (E. T. R.). On the night of 17th April last the accused went there to pay a visit to his wife. At midnight she got up from his side, and under the pretext of answering a call of nature went out of the house. The husband suspected the fidelity of his wife, and when the latter came back the former remonstrated with her for her faithless conduct towards him. A quarrel ensued between the couple in the course of which the accused is alleged to have inflicted three deep cuts in the stomach of the deceased with a sharp-edged knife. She cried out to her grandfather when the accused stabbed her husband when the accused took to his heels. On receipt of information the Police came in and took the wounded woman immediately to the Imambarah Hospital, Hooghly, for treatment. The next evening, at about 7 p. m., she expired from the effects of the injuries she had received. Dr. Crawford, the Civil Surgeon of Hooghly, who held the post mortem examination and inquest touching the death of the deceased, was of opinion that she died of peritonitis due to fearful gaping wounds on her person. Subsequently the accused was arrested and put on his trial on a charge of murdering his wife before the Joint Magistrate of Hooghly who held a judicial enquiry into the case, and on a prima facie case being made out, against the accused, committed him to the Sessions. Here he was found by the Jury guilty of simple murder. The Sessions Judge, dissenting from this verdict, has referred the case to the Hon'ble High Court for final disposal.

A CASE OF BIGAMY.

This case, in which one Saddulan Bibi, a young married girl, aged about 22, was once tried at the Hooghly Criminal Sessions in May last, under Sec. 404 I.P.C., was remanded by the High Court to the Sessions Judge of Hooghly. The case came on for hearing again before the present Sessions. The facts of the case will bear repetition. They are as follows:—The accused woman, when she was 14, was given away by her father Bhadrassur in marriage with a man at Hingalur. When she attained her puberty she was brought by her husband to his house where she lived with him for some time. Thus two years elapsed after they were wedded when she sued her husband for the recovery of her dowry in the court of the second Munsiff of Sealdah. A year more, and she left her husband's protection. A criminal case was instituted in the court of the Sub-divisional Officer of Barrackpore who ordered her restoration to the aggrieved husband. But she again ran away and married one Jalnah of Champdany near Baidabati during the life time of her first husband. She pleaded guilty to the charge and threw herself on the mercy of the court imploring the Judge in all her earnestness to pardon her on the expression that she was prepared to go back to her former husband and live with him quietly. She was awarded two years' rigorous imprisonment.

HOT SOUP ON THE BATTLEFIELD.

Following the new long established example of Russia the French military authorities are proposing to adopt the "Kitchen Waggon." At present the system is in the experimental stage, and no definite type has been decided on; it is hoped, however, that by the next manoeuvres public competition will have produced a satisfactory solution to the problem. According to the specifications the apparatus is not to weigh more than 1,100 pounds, and is to be capable of preparing 300 litres of soup and 60 of coffee; and to be strong enough for service in the field. The premium offered for the successful competitor is 2,000 francs, which is to include the price of the apparatus.

NO MORE ICE.

BOON TO MANKIND. The Simplex "Water Cooler" will cool water or any liquid almost to a freezing point in two minutes. A child can manipulate it. Cheap, simple and durable. German silver, Rs. 4; Zinc, Rs. 2-4—R. D. Mehra, Lahore.

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are a blessing in the household and in every country of the world. No other medicine exercises a more marked control over BILIOUSNESS, SICK-HEADACHE, INDIGESTION, NERVOUS PROSTRATION, CONSTIPATION.

And other painful forms of stomachic trouble. BEECHAM'S PILLS are gold alike for man, women, and child, if taken according to directions. They are pre-eminently a family medicine—a remedy to have by one in readiness for every occasion whether the need arises.

There is yet another point in this connection that you should mark on the tablet of your memory. BEECHAM'S PILLS, in addition to their acknowledged value in Kidney, Liver and stomach Disorders, have a specially beneficial effect in such ailments as are peculiar to women, many of whom endure needless pain and ill-health through ignorance of this important fact.

6,000,000 BOXES SOLD ANNUALLY.

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5 Lever watch Rs. 4 0

6 Metal H. Key winding watch Rs. 5 0

7 Silver Half H. Key winding watch Rs. 5 0

8 Silver winding Key winding watch Rs. 5 0

9 Metal Half H. Key winding watch Rs. 5 0

10 Silver open face Keyless watch Rs. 5 0

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12 Silver H. Key

13 Silver open face

14 Silver Hunting

15 Gold Plated spring

16 Silver open face wrist

17 Silver Hunting wrist

18 Nickel open face wrist

One case, 1 spring.

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